

# PUAO-TE-ATA-TU

(day break)

## THE REPORT OF THE MINISTERIAL ADVISORY COMMITTEE ON A MAORI PERSPECTIVE FOR THE DEPARTMENT OF SOCIAL WELFARE

INCLUDES APPENDIX

(Established under Section 13 of the  
Department of Social Welfare Act 1971)

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# TERMS OF REFERENCE

The terms of reference for the Committee were as follows:

“The task of the Maori Perspective Advisory Committee is to advise the Minister of Social Welfare on the most appropriate means to achieve the goal of an approach which would meet the needs of Maori in policy, planning and service delivery in the Department of Social Welfare.

The Advisory Committee, having regard to the needs of Maori and to the organisation, structure and functions of the Department of Social Welfare, is to:

- 1 Assess the current capability of the Department in relation to the declared goal;
- 2 *Identify* those aspects (including, for example, current practices in staffing, recruitment, staff training and development and public relations) which militate against attainment of the goal;
- 3 Propose a strategy for overcoming problems and deficiencies identified; and
- 4 *Report* with recommendations to the Minister of Social Welfare within 6 months from commencement of the task.

In carrying out the above task the Advisory Committee is to have particular regard to:

- (a) identification of Maori client needs;
- (b) establishing effective contact with tribal groups;
- (c) appropriate direction of programmes to meet community and clients needs;
- (d) possibilities for decentralisation and devolution;
- (e) appropriate requirements and mechanisms for accountability;
- (f) how attitudinal change can be most effectively achieved;
- (g) appropriate public relations for the exercise.”

## LETTER OF TRANSMITTAL

1 HURAE 1986

KI TE HONORE ANN HERCUS  
MINITA MO TE TOKO I TE ORA  
WHARE PAREMATA  
PONEKE

E HINE

TENA RA KOE I RARO I NGA MANAAKITANGA A TE ATUA.  
ANEI RA TA MATAU RIPOATA “TE PUAO-TE-ATA-TU” TE  
TOTARA WAHINGA I WAENGANUI O TE PO RAUA KO TE  
AWATEA.

TE RIPOATA E WHAI AKE NEI KO TE HUA O TO  
WHAKAHAUTANGA I A MATAU KIA WHAKATAKOTORIA KI MUA  
I TO AROARO NGA AHUATANGA I KITEA E MATAU E TUKINO  
NEI I TO IWI MAORI I RARO I NGA TIKANGA A TO TARI TOKO  
I TE ORA.

KO TE MEA NUI KO TE WHAKATUTUKI I TE WHAKAARO A  
TE IWI E KI NEI "TAMA TU TAMA ORA TAMA MOE TAMA MATE"  
KUA OHO RATAU, KO IA TENEI KO:—

"TE PUAO-TE-ATA-TU".

KO TAU E HINE HE WHAKATUTUKI I NGA KAUPAPA KEI  
ROTO I TE RIPOATA. TENA RA KOE E HINE TE KAI  
WHAKATAKAPOKAI I TE AO HOU O TO IWI MAORI KI TE TAU  
RUA MANO A KI TUA ATU.

JOHN RANGIHAU  
KAI HAUTU

[1 July 1986

The Honourable Ann Hercus  
Minister of Social Welfare  
Parliament Buildings  
WELLINGTON

My Dear Minister

Abide with the grace of God. We submit for your perusal our report "Te Puaote-Ata-tu" and the heralding light of the new dawn.

The enclosed report is the result of your request to us to produce for you our opinions on aspects of the Social Welfare Department which are detrimental to the Maori people.

It is imperative that the wishes of the people who promote a philosophy of self-help, "Tama tu, Tama ora, Tama moe, Tama mate"—"You stand, you live, you sleep, you die"—be fulfilled. The people are now ready. Thus our report "Te Puaote-Ata-tu".

Your role now Minister is to address and implement the matters raised in the report. We offer you our sincere greetings for you act as the helms-person, the navigator and the guide for your Maori people in a new age through and beyond the year 2000.

John Rangihau  
Chairman]

# PREFACE

In July 1985 the Minister of Social Welfare charged this Committee with investigating and reporting to her from a Maori perspective on the operations of one of the largest departments of State whose activities impinge on all sections of the community—the Department of Social Welfare.

The Committee has been conscious of the responsibilities with which we were charged and has welcomed the opportunity to see at first hand what is happening in many parts of our society. As we say in our report we have travelled throughout the country meeting many thousands of people and hearing at first hand what life is like for them in the last decades of the twentieth century.

We have studied from a Maori perspective the history of this country over the last 150 years. The picture is by no means heartening. New Zealand still has a long way to go before we can say we are successfully grappling with the implications of our multi-racial society.

From a cultural perspective our coming to grips with the challenges of racism are equally disturbing.

From a legal perspective we have no doubt that many of the changes made to our statutes since before the turn of the century have not always been in the best interests of Maoridom. Indeed some of the changes went directly against Maori customary preference.

Our impressions of the Department of Social Welfare are that although in general it is staffed by highly dedicated, committed people working under great pressure it is seen as being a highly centralised bureaucracy insensitive to the needs of many of its clients. The Department of Social Welfare, in our view, is not capable of meeting its goal without major changes in its policy, planning and service delivery. We expect, however, that its capability to make the necessary changes will be greatly enhanced by the initiatives advanced in the recommendations of this report.

We comment on the institutional racism reflected in this Department and indeed in society itself. We have identified a number of problem areas—policy formation, service delivery, communication, racial imbalances in the staffing, appointment, promotion and training practices. We are in no doubt that changes are essential and must be made urgently.

We have also studied policies and practices in the social work field and have commented on desirable changes in the Children and Young Persons Act. Changes are equally important in this area as well as in the operations of our courts, of our policies and practices for fostering and care of Maori children and of family case work for Maori clients.

At the heart of the issue is a profound misunderstanding or ignorance of the place of the child in Maori society and its relationship with whanau, hapu, iwi structures.

While we are recommending significant changes to the policies and practices of Government agencies, with particular reference to giving the Maori community more responsibility for the allocation and monitoring of resources, these will be to no avail unless that community in turn picks up the challenges and significantly strengthens its tribal networks.

We have been disturbed at the extent to which Social Welfare institutions and indeed the courts, have a clientele which is predominantly Maori. We think that as a society we cannot survive much longer if we continue to ignore these facts and the situation which give rise to them.

Although we invited the people to talk to us about the operations of the Department of Social Welfare, discussions invariably brought out equally grave concerns about the operations of the other Government departments,

particularly those working in the social area. There is no doubt that the young people who come to the attention of the Police and the Department of Social Welfare invariably bring with them histories of substandard housing, health deficiencies, abysmal education records, and an inability to break out of the ranks of the unemployed. It is no exaggeration to say, as we do in our report that in many ways the picture we have received is one of crisis proportions. To redress the imbalances will require concerted action from all agencies involved-central and local government, the business community, Maoridom and the community at large. We make recommendations for a comprehensive approach accordingly. Our problems of cultural imperialism, deprivation and alienation mean that we cannot afford to wait longer. The problem is with us here and now.

Further there is ample evidence of interest, concern and energy in the community. We and our people hope that its strengths, diversity and ingenuity will combine with the Department in mutual goodwill to herald a new dawn: PUAO-TE-ATA-TU.

John Rangihau

Emarina Manuel

Donna Hall

Hori Brennan

Peter Boag

Tamati Reedy

John Grant



# SUMMARY OF RECOMMENDATIONS

## **Recommendation 1 (Guiding Principles and Objectives)**

We recommend that the following social policy objective be endorsed by the Government for the development of Social Welfare policy in New Zealand:

*“Objective*

*To attack all forms of cultural racism in New Zealand that result in the values and lifestyle of the dominant group being regarded as superior to those of other groups, especially Maori, by:*

- (a) Providing leadership and programmes which help develop a society in which the values of all groups are of central importance to its enhancement; and*
- (b) Incorporating the values, cultures and beliefs of the Maori people in all policies developed for the future of New Zealand.”*

## **Recommendation 2**

We recommend that the following operational objective be endorsed:

*“To attack and eliminate deprivation and alienation by:*

- (a) Allocating an equitable share of resources.*
- (b) Sharing power and authority over the use of resources.*
- (c) Ensuring legislation which recognises social, cultural and economic values of all cultural groups and especially Maori people.*
- (d) Developing strategies and initiatives which harness the potential of all of its people, and especially Maori people, to advance.”*

## **Recommendation 3 (Accountability)**

We recommend that:

- (a) The Social Security Commission be abolished and be replaced by a Social Welfare Commission. The new Commission shall consist of four principal officers of the department, two persons nominated by the Minister of Maori Affairs after consultation with the tribal authorities, and two persons nominated by the Minister of Women's Affairs. The Minister of Social Welfare may wish to consult the Minister of Pacific Island Affairs on the desirability of a ninth appointee.
- (b) The Social Welfare Commission, either at the request of the Minister or on its own motion shall:
  - (i) advise the Minister on the development and changes in policy and scope relating to social security, child and family welfare, community welfare of disabled persons and other functions of the Department of Social Welfare;
  - (ii) advise the Minister on the co-operation and co-ordination of social welfare activities among any organisations, including Departments of State and other agencies of the Crown or by any other organisations of tribal authority; and
  - (iii) consult at least once a year with representatives of tribal authorities in a national **hui**;

- (iv) recommend to the Minister the appointment of and oversee the work of District Executive Committees for each Social Welfare District Office, and Management Committees for each Social Welfare Institution, and allocate appropriate budgets according to priorities set by these Committees.
- (c) District Executive Committees should be formed in each Social Welfare department district. Each Committee shall consist of up to 9 persons appointed from the community on the nomination of the Maori tribal authorities and the nominations of other community interests. The Director of Social Welfare (in person) and the Director of Maori Affairs are to be members. The Chairperson shall be one of the non-public service members. Members are to be paid in the normal way.
- (d) The District Executive Committees shall be appointed by the Minister of Social Welfare under S13 of the Department of Social Welfare Act 1971, and shall report to the Social Welfare Commission and be responsible for assessing and setting priorities in consultation with the various tribal authorities for the funding of specific family and community welfare projects and initiatives in their areas; for preparing draft budgets for these projects for final approval by the Social Welfare Commission; and for monitoring and reviewing the effectiveness of such projects and initiatives and the appropriateness and quality of the Department's range of services to the district it serves.

#### **Recommendation 4 (Deficiencies in Law and Practice)**

We recommend the following amendments to legislation:

- (a) The Social Welfare Act 1971 be amended to provide for the establishment of the Social Welfare Commission.
- (b) The Social Security Act 1964 be amended to provide for the following:
  - (i) Abolition of the Social Security Commission.
  - (ii) Clarify the law so that there is no impediment to verification of age and marital status being established from Marae or tribal records and that a Maori custom marriage is recognised for the purposes of the Social Security Act.
  - (iii) Restructuring of the unemployment benefit so that it can provide greater incentive to work, whether part time or full time, training or entrepreneurial initiative and to provide the flexibility through discretion for the Social Welfare Commission to develop variations of or alternatives to the unemployment benefit that are tailored to the needs of the individual.
  - (iv) Social Security benefit child supplements be made more readily available where the care of Maori children is transferred from natural parents to the grandparents or other relatives.
  - (v) Eligibility to orphans benefit provisions be extended to include the claims of unsupported children, so that payment can be made to whanau members who are looking after these children.
- (c) The Children and Young Persons Act 1974 be reviewed having regard to the following principles:
  - (i) That in the consideration of the welfare of a Maori child,

regard must be had to the desirability of maintaining the child within the child's hapu;

- (ii) that the whanau/hapu/iwi must be consulted and may be heard in Court of appropriate jurisdiction on the placement of a Maori child;
- (iii) that Court officers, social workers, or any other person dealing with a Maori child should be required to make inquiries as to the child's heritage and family links;
- (iv) that the process of law must enable the kinds of skills and experience required for dealing with Maori children and young persons hapu members to be demonstrated, understood and constantly applied.  
The approach in recommendation (iv) will require appropriate training mechanisms for all people involved with regard to customary cultural preferences and current Maori circumstances and aspirations;
- (v) that prior to any sentence or determination of a placement the Court of appropriate jurisdiction should where practicable consult, and be seen to be consulting with, members of the child's hapu or with persons active in tribal affairs with a sound knowledge of the hapu concerned;
- (vi) that the child or the child's family should be empowered to select Kai tiaki or members of the hapu with a right to speak for them;
- (vii) that authority should be given for the diversion of negative forms of expenditure towards programmes for positive Maori development through tribal authorities; these programmes to be aimed at improving Maori community service to the care of children and the relief of parents under stress.

## **Recommendation 5**

We recommend that the Social Security Act be reviewed by the Social Welfare Commission with a view to removing complexity of conditions of eligibility and achieving rationalisation of benefit rates.

## **Recommendation 6 (Institutions)**

We recommend that:

- (a) Management Committees drawn from local communities be established for each Social Welfare institution;
- (b) The Committees shall be appointed by the Minister of Social Welfare under S13 Department of Social Welfare Act 1971 and shall be responsible to the Social Welfare Commission for the direction of policy governing individual institutions, allocating resources, making recommendations on the selection of staff and for ensuring that programmes are related to needs of children and young persons and are culturally appropriate;
- (c) Each Committee shall consist of up to 9 persons appointed to represent the community on the nomination of the Maori tribal authorities and on the nomination of other community interests and with one member to represent the Director-General of Social Welfare and one to represent the Secretary of Maori Affairs. The

Chairperson will be a non-public servant member. Members are to be paid in the normal way;

- (d) As a priority the Committees shall address the question of alternative community care utilising the extended family;
- (e) The Committees shall have the right to report to the Social Welfare Commission on matters of departmental policy affecting the institutions.
- (f) Funds be provided to enable children from institutions to be taken back to their tribal areas for short periods to give them knowledge of the history and nature of the areas and to teach them Maori language and culture;
- (g) Provision be made to enable young people to be discharged to home or community care and to continue to attend schools attached to Social Welfare institutions.

### **Recommendation 7 (Maatua Whangai)**

We recommend that:

- (a) The Maatua Whangai programme in respect of children return to its original focus of nurturing children within the family group;
- (b) Additional funding be allocated by the Department to the programme for board payments and grants to tribal trusts for tribal authorities to strengthen whanau/hapu/iwi development;
- (c) The funding mechanism be through the tribal authorities and be governed by the principle that board payments should follow the child and be paid direct to the family of placement, quickly and accurately and accounted for to the Department in respect of each child. The programmes should be monitored for suitability of placement and quality of care;
- (d) The level of the reimbursement grant for volunteers be increased to a realistic level.

### **Recommendation 8 (Funding Initiatives)**

We recommend that:

- (a) The Departments of Social Welfare, Education, Labour and Maori Affairs in consultation with tribal authorities promote and develop initiatives aimed at improving the skill and work experience of the young long term unemployed;
- (b) The proposed Social Welfare Commission meet with Maori authorities to consider areas of needed investment in urban and rural districts to promote the social and cultural skills of young Maori people and to promote training and employment opportunities for them.

### **Recommendation 9 (Recruitment and Staffing)**

We recommend that:

- (a) Job descriptions for all staff acknowledge where appropriate the requirements necessary for the officer to relate to the community including the needs of Maori and Maori community;
- (b) Interview panels should include a person or persons knowledgeable in Maoritanga;
- (c) The Department provide additional training programmes to develop understanding and awareness of Maori and cultural issues among departmental staff;

- (d) Additional training positions be established for training in Maoritanga;
- (e) Provision be made for the employment of staff to provide temporary relief while other staff attend training;
- (f) Assistance be provided to local Maori groups offering Maoritanga programmes for staff, and
- (g) The Department accredit appropriate Maori people to assist in field and reception work.

## **Recommendation 10 (Training)**

We recommend that:

- (a) The Department take urgent steps to improve its training performance in all aspects of its work;
- (b) The State Services Commission undertake an analysis of the training needs of all departments which deliver social services;
- (c) The State Services Commission assess the extent to which tertiary social work courses are meeting cultural needs for those public servants seconded as students to the courses;
- (d) The Department in consultation with the Department of Maori Affairs identify suitable people to institute training programmes to provide a Maori perspective for training courses more directly related to the needs of the Maori people;
- (e)
  - (i) additional training positions be established for training in Maoritanga at the district level;
  - (ii) provision be made for the employment of staff to provide temporary relief while other staff attend training;
  - (iii) assistance be provided to local Maori groups offering Maoritanga? programmes.

## **Recommendation 11 (Communication)**

- (a) The Department ensure appropriate advice to its information staff on the specific public relations and information needs of particular ethnic groups, and to assist with interpretation and translation into Maori;
- (b) Immediate steps be taken to continue to improve the design and function of public reception areas;
- (c) An immediate review be undertaken by an appropriate firm of consultants of the range of all application forms to reduce their complexity;
- (d) That funds be allocated to Social Welfare district offices with a high Maori population to provide some remuneration to Maori people who provide assistance to Social Welfare staff in dealing with Maori clients;
- (e) A toll free calling service to Social Welfare district offices be installed to enable all Social Welfare clients living outside toll-free calling areas to ring the Department free-of-charge (rural areas);
- (f) A general funding programme be established which could be drawn on by rural areas for community self-help projects. These funds could be used for example, to employ a community worker, or to provide back-up funds for voluntary work.

## **Recommendation 12 (Interdepartmental Co-ordination)**

We recommend that:

- (a) The Terms of Reference for the intended Royal Commission on Social Policy take account of the issues raised in this Committee's report;
- (b) The State Services Commission take immediate action to ensure that more effective co-ordination of the State Social Service agencies occurs.

## **Recommendation 13 (Comprehensive Approach)**

We recommend that:

- (a) Immediate action be taken to address in a comprehensive manner across a broad front of central Government, local Government, Maori tribal authorities and the community at large, the cultural, economic and social problems that are creating serious tensions in our major cities and in certain other outlying areas;
- (b) The aim of this approach be to create the opportunity for community effort to:
  - (i) plan, direct, control and co-ordinate the effort- of central Government, local Government, tribal authorities and structures, other cultural structures, business community and Maoridom;
  - (ii) harness the initiatives of the Maori people and the community at large to help address the problems;
- (c) The Cabinet Committee on Social Equity and their Permanent Heads be responsible for planning and directing the co-ordination of resources, knowledge and experience required to promote and sustain community responses and invite representatives of commerce, business, Maoridom, local Government and community leaders to share in this task.

## **Committee Comment**

*Change of the order contemplated in these recommendations will place quite extreme demands on the human resources of the Department of Social Welfare and the Department of Maori Affairs.*

*This report contemplates that the social and cultural insights available to the Department of Maori Affairs will be central to the development of strategies that cannot afford to fail.*

*The Department of Maori Affairs can bring experience and skill in the social dimensions of the Maori world in a measure greater than that available from any other agency of Government. Combined with Social Welfare's depth of practical experience in dealing with the social situation of Maori people these two departments together face the greatest single social and cultural challenge of our times.*

# PART I-BACKGROUND TO REVIEW

## INTRODUCTION

1 In the 15 years since its inception in its present form, the Department of Social Welfare has been concerned at the disproportionately high numbers of Maori in the welfare system compared with the general population.

2 In 1975, the Joint Committee on Young Offenders found that the Maori were over-represented in lower socio-economic groups. Other Government and non-government reports in the last decade have demonstrated that the relative socio-economic status between Maori and non-Maori has remained unchanged for many decades

3 Educational and economic under achievement by Maori people has been reflected in increased crime rates, poor infant and life expectancy rates, high unemployment rates and low incomes.

4 Maori comprise 12 percent of the population, according to the latest census statistics.

- The Maori infant mortality rate is 19.0 per 1000 live births compared with the non-Maori rate of 11.0 per 1000 live births;
- Maori life expectancy is lower than that of non-Maori by 6.98 years for males and 8.46 years for females;
- 62% of Maori leave secondary school without passing at least one subject of School Certificate compared to 28% of non-Maori. On the other hand 9.5% of Maori leave school with UE or a higher qualification compared to 34% of non-Maori;
- 45% of Maori own their own houses (with or without a mortgage) and 50% are renting whereas for non-Maori the comparable figures are 73% owning and 24% renting.
- Maori unemployment is 14% of the Maori labour force. The non-Maori rate is 3.7% of the non-Maori labour force;
- the disparity between the median incomes of Maori and non-Maori males is \$2,039;
- Maori comprise 50% of prison admissions;

All these factors have led to increasing pressure on the Department of Social Welfare and on its benefits and social work programmes.

5 In recent years, concern has grown at the high numbers of young Maori in the Department's institutions and those who make up its social work case loads. Although departmental statistical summaries have recently indicated a decrease in the rates for court appearances by 10 to 13 year olds and that fewer in this age group may also be coming into the care of the State, there is no corresponding decline in the numbers of 14 to 17 year old offenders who are Maori.

6 The 1982 Human Rights Commission Report scrutinised the Department's treatment of young Maori in its residential institutions following allegations of malpractices. The Commission considered that some practices and procedures raised "serious and substantial" questions. Although there has been change and innovation since then, nevertheless, the inquiry raised public concern and focused attention on young Maori in institutions.

7 Subsequently, Archbishop A H Johnston reported on practices and procedures relating to the care and control of children and young persons in Auckland Social Welfare institutions. A number of areas were identified for attention, including a greater recognition of differing cultural values. The report recommended consultations with Maori representatives to determine how the homes “in which Maori young people predominate” could best reflect the cultural values of their people.

8 In 1984, a Maori Advisory Unit was established in the Department’s Auckland regional office, with three Maori staff to advise on policy and programmes to meet the special needs of Maori people. This unit identified various shortcomings in the Department’s response to its Maori clients.

9 In a report in 1985, the Maori Advisory Unit concluded that the Department was racist in the institutional sense; it was a typical, hierarchical bureaucracy, the rules of which reflected the values of the dominant Pakeha society. It reported that Maori input to policy was negligible and that insistence on professional qualifications for staff frequently disadvantaged Maori applicants.

10 As well, Maori staff were used to advise on Maoritanga whenever there was a need for this advice, but their ability to do so went **unrecognised** and unrewarded. The report pointed out that such knowledge and experience was a specialist qualification when the clients were Maori.

11 At the same time, a report by the Women’s Anti-racist Action Group also concluded that institutional racism existed throughout the Department in Auckland. It raised such fundamental questions that, coupled with other concerns, it was clear a different approach was required if the Department were not to be perceived as culturally biased in structure, procedure and policy.

12 Against this background, the Minister of Social Welfare established a ministerial committee under Section 13 of the Department of Social Welfare Act, 1971, to advise on a Maori perspective for the Department of Social Welfare.

### *Department of Social Welfare*

13 The Department of Social Welfare is a large government department, with a total expenditure of more than \$5,000 million for the year ended March 31, 1986.

14 There is a network of 73 Social Welfare offices throughout the country, staffed by over 6,000 people. The Department is currently paying over one million social security benefits each fortnight. Each year it processes over 300,000 new applications for benefits, as well as reviewing many of the existing benefits.

15 The Department provides a social work service for individuals and families under stress, with particular emphasis on the care and control of children. There are currently about 10,000 children either under guardianship or supervision by the Department. It also operates a wide variety of social work programmes, ranging from full-time residential care, to preventive work with families and community groups.

16 Social Welfare also administers about 35 different subsidy programmes under which a large range of voluntary welfare organisations and community groups receive financial assistance for their work in the general field of social welfare. This involves an expenditure of about \$40 million in a full year.

17 Further details of the Department are set out in Annex I to this report.



## ***Our Approach***

18 The Committee decided that to undertake our task adequately, we had first to listen to the community. We therefore chose to travel around the country to meet the Department's clients in a *marae* setting, believing that an oral approach to our work was the traditional approach of Maori people to which they would respond. Our records are equally oral, being unedited transcripts of tapes of the proceedings. Written submissions were also invited and details of these are given in the appendix.

19 We held a total of 65 meetings on *marae*, in institutions and Department offices. We spoke to staff, to community workers, to young people and to judges who sit in the Childrens and Young Persons Court.

20 We had countless discussions and consultations. The faces and the places have been different, the statements have been made in countless different ways, but the messages have been the same.

21 They have been messages of frustration, anger and alienation. They have been messages, though, which have frequently been flavoured with hope, unfulfilled expectations, pride and *aroha*. The angry sense of powerlessness is not matched with a sense of hopelessness.

22 We have borne the brunt of feelings far wider than anything which lies within the remedies of the Social Welfare Act. We have been confronted with a Maori perception of issues which are deep rooted and structural, issues which combine to produce an Aotearoa in 1986 in which Maori people are overwhelmingly in a state of dependency-*mokai* in their own land.

23 We spoke with senior Head Office staff and district management of the Department of Social Welfare; with senior staff of the State Services Commission and the Department of Maori Affairs. We spoke about our broad findings with permanent heads from the Departments of Health, Labour, Housing, Education, Justice, Police and the State Services Commission.

24 In our findings we have attempted to address most of the problems raised. We have devised immediate and longer term strategies to enable the Department to achieve the required perspective and, as a matter of urgency, we have proposed an approach to meet problems that, in our opinion, have reached crisis proportions in some areas.

25 While mindful of our terms of reference, we nevertheless believe that most of the difficulties Maori clients have with the Department are reflections of the socio-economic status of Maori in the community. In proposing a Maori perspective for the Department, we cannot ignore the lack of a Maori perspective in the community at large.

26 As we have grappled with the issues raised by the *iwi*, we have been forced to consider the events and the experiences which created this dependency. The New Zealand experience is little enough understood by New Zealanders and what understanding exists has been largely shaped by settler culture and western academic interpretation.

27 The Maori perception of that experience underlies the substance of this report and we have thought it appropriate to inform you more fully about it by an historical paper in the form of an appendix. Also included in the appendix is an analysis of the Maori and the law and a discussion paper on the many faces of racism.

28 These papers form the philosophical framework for this report.

# **HISTORICAL, LEGAL AND CULTURAL PERSPECTIVE**

## *Historical Perspective*

29 The history of New Zealand since colonisation has been the history of institutional decisions being made for, rather than by, Maori people. Key decisions on education, justice and social welfare, for example, have been made with little consultation with Maori people.

30 Throughout colonial history, inappropriate structures and Pakeha involvement in issues critical for Maori have worked to break down traditional Maori society by weakening its base—the whanau, the hapu, the iwi. It has been almost impossible for Maori to maintain tribal responsibility for their own people.

31 Since the advent of the New Zealand Maori Council, it is often claimed that a consultative body for Maoridom does exist. We point out that the council commands authority only in areas where its district base is grafted on to the old tribal committee structure. In other areas, it has been an inadequate vehicle for expressing the Maori view.

32 Today there is burgeoning support for tribal authorities to resume the traditional role. The Committee, looking back at history, sees that the few examples of Maori successes have had a tribal base and that the only Maori advances have centred on the traditional structures.

33 In proposing a strategy to achieve a Maori perspective for the Department, we believe we cannot ignore the lesson of history: that Maori people must be involved in making the decisions that affect their future. This means direct involvement in Social Welfare policy, planning and service delivery at the tribal and community level.

## *Legal Perspective*

34 The Committee accepts the view that the operation of the law since 1840 has been largely inimical to the interests of the Maori people.

35 The traditional policy of assimilation and one law for all has become so ingrained in national thinking that it is difficult for administrators to conceive of any other, or to appreciate that indigenous people have particular rights to a particular way of life. We believe that society in New Zealand is not aware of the extent to which the law has defeated the maintenance of the Maori way of life.

36 An analysis of Maori and the law is included in the appendix to this report.

## *The Issue of Racism*

37 Having considered historical issues and the events which gave rise to them, we also grappled with the question of racism and considered its many faces.

38 Racism is belief or practice based on the assumption that one race, culture or ethnic group is inherently superior or inferior to another. Societies are racist, as are individuals, but few are avowedly racist:

39 Racism is commonly confused with social class attitudes. The latter are often used as explanations or excuses for behaviour which is basically racist.

40 Hostility on a basis of race or ethnicity is sometimes understandable even though it should be resisted. Acts of violence by a member of one group may create hostility against the whole group to which the individual belongs-especially if he or she belongs to a minority; but this should be seen to be irrational and illogical thinking producing damaging stereotypes in the dominant group's culture.

41 Racist attitudes on the part of disadvantaged minorities towards those they perceive as advantaged or oppressive are nonetheless racist. They are however understandable and should be seen generally as defensive responses by those suffering inequality.

42 Racism may be fuelled by fear, injustice, insecurity or religion. It may be propped up by economic advantage or it may be simply age old prejudice of one group against another group.

### ***The Faces of Racism***

43 Racism in New Zealand has been considered in three broad forms. These are personal racism, cultural racism and institutional racism.

44 Personal racism manifested by attitude or action is the most obvious form and the one most easily confronted. Although it is not now as unfashionable as it was a decade ago there is a considerable reservoir of social resistance to it and a range of law and social practice arrayed against it.

45 Cultural racism is manifested by negative attitudes to the culture and lifestyle of a minority culture or the domination of that culture and its efforts to define itself by a power culture. An obvious form is the selection by a power culture of those aspects of the minority culture which it finds useful or acceptable. Essential dimensions of the minority's values and lifestyle are discarded to its detriment. Tourism, education and advertising offer numerous examples.

46 The most insidious and destructive form of racism, though, is institutional racism. It is the outcome of monocultural institutions which simply ignore and freeze out the cultures of those who do not belong to the majority. National structures are evolved which are rooted in the values, systems and viewpoints of one culture only. Participation by minorities is conditional on their subjugating their own values and systems to those of "the system" of the power culture.

47 A paper entitled "The Faces of Racism" explores the issue more extensively. It is attached as an Appendix to this report.

### ***Biculturalism***

48 The Committee sees Biculturalism as the appropriate policy direction for race relations in New Zealand. It is considered as the essential prerequisite to the development of a multi-cultural society.

49 In our view policies and social objectives rooted in the concept of multiculturalism are commonly used as a means of avoiding the historical and social imperatives of the Maori situation. These should be addressed in a context of bicultural policy.

50 When applied to the functioning of the Department of Social Welfare we interpret biculturalism as the sharing of responsibility and authority for decisions with appropriate Maori people.

51 In functional terms we are concerned that decisions should be founded on the right information obtained from the right people. We perceive a social and cultural partnership here-not separatism.

52 Biculturalism involves understanding and sharing the values of another culture, as well as understanding and/or preserving another language and allowing people the choice of the language in which they communicate officially.

53 Biculturalism also means that an institution must be accountable to clients of all races for meeting their particular needs according to their cultural background, especially, in the present case, Maori.

## **PART II-WHAT WE HEARD**

54 The people certainly grasped the opportunity to voice their concerns, criticisms and grievances. During the many marae discussions we captured the great depth of feeling and hope of the people as we sat and listened and learned.

55 We heard, for example, kaumatua explain the indignity of having marae or tribal records ignored as sole evidence of age. We heard of bewilderment at the lack of acknowledgment of a Maori custom marriage. We heard the anxiety, frustration and despair of the young unemployed who struggle to understand the rules of entitlement to benefit.

56 We heard of the unfairness of a benefit system that taxes some and not others and that differentiates between people though their needs are similar.

57 And we heard of the inflexibility of the procedures in both city and country which put people to expense and inconvenience due to the failure or delay of the Department itself.

58 We heard the cry of young Maori women about the insensitivity of a pakeha benefit process which required them, for example, to describe rape by a husband.

59 We heard of the indignity of the aged being treated with scant respect for their needs and for their lack of knowledge of their entitlement.

60 We heard the young and the elderly express heartfelt loss of each other through processes which keep them apart.

# LITANY OF SOUND

61 Like a litany of sound-Ngeri-recited with the fury of a tempest on every marae, and from marae to marae came the cries:-

**"Asking the people to carry something some other department doesn't want to spend money on."**

**"In two years, expected to clean up 1.50 years-old mess."**

**"Have to patch up education failures."**

**"View clients as irresponsible and somehow deserving of their poverty, powerlessness and deprivation."**

**"Get no recognition and or pay for performing special Maori duties."**

**"White males at the top and middle."**

**"An institution of social control."**

**"DSW nurtures dependence & self hatred rather than independence and self-love."**

**"Give us the money and let us do it."**

**"Racist from the top to bottom."**

**"Removes power from the people to look after themselves."**

**"Supports deprivation status of clients and social injustice."**

**"Maori staff have a feeling of being unheard; feeling of being turned away; feeling of anger."**

**"Department has taken over children in large numbers."**

**"Violence done to tribal structures; violence done to cultural values."**

**"Angry about powerlessness and denigration of culture and society of the people of the land."**

**"Don't experience beauty and nobility of Maoridom."**

**"Don't meet Maori people in their own world."**

**"Reliance on Maori staff for bi-cultural effect."**

**"Used to window dress Department."**

**"Power structure in Department is such that hierarchy of power equals delay in money or help."**

**"Entry criteria are academic and therefore preclude automatically most Maori and Island people."**

**"Entirely monocultural."**

**"Does to people rather than for people. Implies a right of power over people; and subsequent control of them."**

**"Where need is greatest, resources are least, for example, Ruatoria."**

**"Removal of responsibility from people-people not given the information. Don't know their rights; don't know what the Department's doing."**

**"Pakeha control of Maori."**

**"Their child care processes are undermining the basis of Maori society or have already done so."**

**"People have been institutionalised and rendered helpless."**

**"Rendered children and parents helpless at a great cost to racial, tribal and personal integrity."**

**"Maori people being allowed to look after themselves-to be given back the power to provide their own welfare."**

## SERVICE DELIVERY

62 The Maori community had serious criticisms of the Department and its ability to deliver services which met their needs as consumers. While criticism varied from district to district, and some districts had made conspicuous efforts to meet the needs of Maori clients, problems were aired in almost every district we visited.

*“... when people come into the department we've already taken away a lot of their respect”.*

*“... Social Welfare offices when we enter makes us feel as though we're criminals. That's for sure. The ones we've got behind the counters one look at their faces tells you, dumb Maoris coming in. Don't know how to fill the forms”.*

*“... it's a pakeha bureaucratic system. It drives the average pakeha woman up the wall, so God knows what it would do for a Maori person who doesn't know very much about the pakeha way of working”.*

*“The decision and policy making power and control is concentrated in the hands of a few who are mainly white, middleclass and male”.*

### *The Interface with the Client*

63 People felt the Department's offices were unwelcoming and impersonal, lacked privacy and adequate soundproofing. Counters were seen as creating barriers between “them” and “us” and children were not catered for in waiting rooms. It was obvious to us that offices appeared to work better and were closer to the people they served where there were fewer than about 150 staff employed.

64 We heard constantly that counter staff were too young, inexperienced, insensitive, poorly trained and judgmental. People were frustrated by having to deal with staff who did not know sufficient about entitlement conditions for the appropriate benefits, seemed unaware of the trauma some of the clients might be in, and were ignorant of Maori view points or values.

65 It was suggested that training programmes should be designed to raise the level of awareness of Maori culture and should also incorporate training in personal skills and some knowledge of New Zealand history. A compelling need was for front-line staff to be fully aware of the range of assistance available and to have the authority to make decisions and give authoritative advice.

66 One of the major criticisms of the Department concerned the numbers of Maori people employed. People believed that more Maori people, particularly mature people well grounded in both Maori and Pakeha lifestyles were needed in both the front line and as decision makers. Maori staff often complained that they were used as window dressing and expected to share the knowledge of their culture whenever required without having this knowledge recognised as a work-related skill.

67 Because of the insistence on academic qualifications for many positions in the Department, Maori people saw this as effectively locking the gate against Maori applicants. People asked for qualifications to be interpreted broadly. Life experience, fluency in Maori language and ability to relate to another cultural group should be qualifications for certain positions. These skills should be recognised in classification, salary and grading.

68 We were also told that there is a need for a substantial review to assess the relevance of the academic approach in social work to the needs of the department's clients and that it should be aimed at making the academic environment more hospitable to the sorts of qualities we were advised as being desirable.

69 People asked for more information about entitlements and services, written in language easily understood. They also asked for more Maori speakers at the interface to explain services to them and for people to be employed to help with form filling and to put clients at ease in unfamiliar surroundings. It was pointed out by many that forms were too complicated and that it would be helpful if documents were also presented in Maori.

### *Social Work*

***“The social work education system of residential child care work which was imposed on the Maori people was based on the arrogant assumption that the culture of the Pakeha coloniser was far superior and preferable to the Maori and other Polynesian life style.”***

70 In the area of social work, there were many calls for Maori people to do the work of the “professional” workers. Whereas community workers saw themselves as being on call 24 hours a day, social workers were seen by some to work for only the prescribed hours. The complaint was strong that valuable skills were often used but not paid for when volunteers or community workers were used as a cultural resource for dealing with Maori people.

71 The emphasis on the professionalism of social workers and their academic training was seen as discriminating against Maori people who were often qualified by life and culture to do the work more effectively.

72 Maori people complained that social work practices in regard to court procedures, adoption and family case work contributed to the breaking down of the whanau system and the traditional tribal responsibilities of the Maori lifestyle.

73 Departmental foster care was frequently seen as insisting on unrealistically high standards. This often resulted in children becoming dissatisfied with their own homes which could not provide the material and recreational standards to which they had become accustomed.

74 The area of fostering and adoption and the practice of confidentiality caused considerable concern. This not only denied the extended family its traditional rights but often resulted in a child being placed without any information about tribal identity being available for proper consideration. It was also stated that adoptive and foster parents were selected on the Pakeha basis of material values, while the ability of Maori applicants to bring up a child in its own whanau, surrounded by tribal aroha, was ignored.

75 The Maatua Whangai programme received a great deal of attention. The claims were that the programme is under-resourced. We deal with Maatua Whangai later on, but simply record the fact that great things are expected of the programme by the Maori people.

## **Rural Services**

*“That’s ail I have stood up to say-what is happening out in the rural areas. I’ll put it to you, that there should be some changes there, to take into consideration what difficulties people in rural areas are going through. Especially when they have to report in. The distance involved in travelling to sort out these matters before they are able to get any money to get groceries and things that are necessary to live.”*

76 In small areas, for example Ruatoria, Te Kaha, Kaitaia and the West Coast (South Island), people spoke of the costs of travelling and making telephone calls to apply for benefits or to make inquiries. In some cases, the cost of travel could almost equal the payment received. The requests were for more regular servicing visits, or for local agents to be appointed. The services most required locally were the payment of benefits and pensions, and social workers. People also asked for free toll calls to inquire about benefits and pensions to prevent the high charges incurred while department staff located files and obtained decisions. Generally, rural clients felt they were disadvantaged compared with urban people.

## **PART III - OUR CONCLUSIONS**

77 A principal consumer of the Department of Social Welfare is Maori; not on the basis of population but on the basis that the operation of history has made Maori people dependent on the welfare system. The Committee views this as a negative achievement. Its recommendations therefore will deal with proposals for positive achievement, both in short-term initiatives and long-term strategy for re-building the basis of independent Maori society.

78 As we travelled around the country, the most consistent call we heard was for Maori people to be given the resources to control their own programmes. We have responded to this in ways that do not discriminate against people of any culture while enabling Maori people to share and to control where applicable the allocation of resources in communities.

79 We believe that, in reporting on a Maori perspective for the Department of Social Welfare, we are in fact reporting on needs which impact on all Government departments. A main thrust of our report is therefore to do with co-ordination of resources among departments and the transference of authority over the use of those resources closer to the consumer.

80 Our recommendations are based on the expectation that Maori people will respond by participating in the strengthening of their tribal networks. We believe that our recommendations will assist and encourage the re-emergence of Maori management systems with their special blending of spiritual and pragmatic values. We also believe the co-ordination of Maori and non-Maori systems offers an opportunity for this country to develop a unique social service delivery.

81 It is our view that the presence of racism in the Department is a reflection of racism which exists generally within the community. Institutional racism exists within the Department as it does generally through our national institutional structures. Its effects in this case are monocultural laws and administration in child and family welfare, social security or other departmental responsibilities. Whether or not intended, it gives rise to practices which are discriminatory against Maori people.



## CAPABILITY OF DEPARTMENT

*"I see it as a department speaking from a level above the people, not able to reach down to the grass roots, where the people are at. If you cannot come down to the people how can you help them. I would like to suggest that the department open up its corridors to the Maori people."*

*"This hui was to discuss a Maori perspective for Social Welfare. When we had the panui for this hui, got very cynical about it, got very hoha about it because it is filling our guts and telling our concerns to deaf ears. People don't listen, I sit in there with people and I'm telling them what its like for a Maori kid, they don't understand, they don't believe me. That's institutionalised racism. What is racism. Its prejudice, inaction."*

82 We were asked to assess the current capability of the Department in relation to the declared goal. Taking into account all that we heard and our own observations and impressions, the inescapable conclusion of the Committee is that the Department of Social Welfare is not capable of meeting the goal without major changes in its policy, planning and service delivery. We expect, however, that its capability to make the necessary changes will be greatly enhanced by the initiatives advanced in the recommendations of this Committee.

83 The Committee finds that the staff in general are dedicated people, committed to working for the welfare aims of the Department. However, they have lacked the leadership and understanding to relate sensitively to their Maori clients.

84 The Committee regards change within the Department as essential if the kinds of problems identified to us by Maori people are to be overcome and if the Department is to relate to their specific needs.

85 The Department is in the process of changes designed to bring decision making and supportive mechanisms closer to the people it serves. Our recommendations can therefore be accommodated more quickly than might otherwise have been possible.

## GUIDING PRINCIPLES AND OBJECTIVES

86 The Department has developed a Management Plan which includes in its statement of goals the following:—

*"To meet the particular needs of Maori people in policy, planning and service delivery while giving due attention to the needs of other ethnic minority groups."*

87 The Committee endorses the above, as a start for the Department, as a bi-cultural approach in a way that does not offend other cultural groups.

88 But for clients and staff, the Department requires a statement of guiding principles and goals that specifically exclude any racist interpretation. The wording of the new objective below explains racism very clearly. We believe that by leaving it in no doubt what is meant by racism, the dangers of cultural and institutional racism occurring in the Department will be minimised.

89 During our deliberations, we thought much about racism as it affects New Zealand society. The statement of a policy objective for Social Welfare that we have provided could generally apply to all departments of State. However, in this report it is directed only at the Department of Social Welfare. We think the statement below is a lasting one which can incorporate the major activities of the Department.

## Recommendation 1

We recommend that the following social policy objective be endorsed by the Government for the development of social welfare policy in New Zealand:

*forms of cultural racism in New Zealand that result in the values and lifestyle of the dominant group being regarded as superior to those of other groups, especially Maori, by:*

- (a) Providing leadership and programmes which help develop a society in which the values of all groups are of central importance to its enhancement; and*
- (b) Incorporating the values, cultures and beliefs of the Maori people in all policies developed for the future of New Zealand."*

## Recommendation 2

We recommend that the following operational objective be endorsed:

*"To attack and eliminate deprivation and alienation by:*

- (a) Allocating an equitable share of resources.*
- (b) Sharing power and authority over the use of resources.*
- (c) Ensuring legislation which recognises social, cultural and economic values of all cultural groups and especially Maori people.*
- (d) Developing strategies and initiatives which harness the potential of all of its people, and especially Maori people, to advance."*

## ACCOUNTABILITY

*"All we ask you for is the resources to go into the right place so that when you push the button something will happen because I'm saying now that if the tribal involvement is not involved, you push the button, it's going to be the wrong button if it's not a tribal one."*

*"The strength of the New Zealand people is in their wakas and in their tribes and within those wakas and within those tribes are families that have to be strong and they got to rely on their tribal identity to be strong because. . ."*

*"People should earn enough to support their family without having to have assistance from the department and I think the Department of Social Welfare should be gearing itself to making people more self-reliant and bringing back their self-respect and regardless of what colour people's skins are."*

90 Public servants and Public Service departments are accountable to the Minister and the Government of the day for the implementation of Government policies and for the expenditure of public money. Departments are also accountable to the community for the quality of service delivered to their clients.

91 In the Department of Social Welfare urgent steps need to be taken at the national and district policymaking levels to bring a Maori perspective into both of these areas.

92 In common with other Government departments, the Department of Social Welfare has few if any Maori in the upper levels of its hierarchy.

The Social Security Commission, which sets policy directives and decides precedent and procedure, comprises four Pakeha male officers of the Department. While not wishing in any way to deny the professionalism and commitment of present and previous members of the Commission, the Committee believes this structure must be changed to ensure it is representative of the community the Department serves. Its composition should include people outside the Department and the Public Service to add an external perspective to its decision making.

93 As well, in considering the changes necessary, the Committee concluded that the Commission's focus has been too narrow. The Commission, we consider, should carry a brief over the whole of its welfare functions to strengthen policy integration within the Department itself.

94 At the district level, the community should be able to share in setting priorities for allocating resources for community initiatives and projects and for family development. We also think it is important for the community itself to become accountable for the use of those resources. As well, it should be given the capability of monitoring the Department's service delivery in its district.

95 We propose the establishment of local committees for each Social Welfare district, their composition reflecting the client groups in the communities of each district. The Committee suggests that each local committee comprise up to nine persons. As in most districts the majority of Social Welfare clients are Maori, we would suggest that a typical composition would be say, up to four Maori persons, three persons representing other interests in the community, and the District Directors of the Department of Social Welfare and the Department of Maori Affairs. The Maori representatives should be identified from the tribal groups of the Social Welfare district after consultation with the various tribal authorities. We would expect that the special interests of women and young people would not be overlooked in the selection of committee personnel.

### **Recommendation 3**

**We recommend that:**

- (a) The Social Security Commission be abolished and be replaced by a Social Welfare Commission. The new Commission shall consist of four principal officers of the department, two persons nominated by the Minister of Maori Affairs after consultation with the tribal authorities, and two persons nominated by the Minister of Women's Affairs. The Minister of Social Welfare may wish to consult the Minister of Pacific Island Affairs on the desirability of a ninth appointee.**
- (b) The Social Welfare Commission, either at the request of the Minister or on its own motion shall:**
  - (i) advise the Minister on the development and changes in policy and scope relating to social security, child and family community welfare of disabled persons and other functions of the Department of Social Welfare;**
  - (ii) advise the Minister on the co-operation and co-ordination of social welfare activities among any organisations, including Departments of State and other agencies of the Crown or by any other organisations or tribal authority; and**
  - (iii) consult at least once a year with representatives of tribal authorities in a national hui;**

- (iv) recommend to the Minister the appointment of and oversee the work of District Executive Committees for each Social Welfare District Office, and Management Committees for each Social Welfare Institution, and allocate appropriate budgets according to priorities set by these Committees.
- (c) District Executive Committees should be formed in each Social Welfare Department district. Each Committee shall consist of up to 9 persons appointed to represent the community on the nomination of the Maori tribal authorities and the nominations of other community interests. The Director of Social Welfare (in person) and the Director of Maori Affairs are to be members. The Chairperson should be one of the non-public service members. Members are to be paid in the normal way.
- (d) The District Executive Committees shall be appointed by the Minister of Social Welfare under S. 13 of the Department of Social Welfare Act 1971, and shall report to the Social Welfare Commission and be responsible for assessing and setting priorities in consultation with the various tribal authorities for the funding of specific family and community welfare projects and initiatives in their areas; for preparing draft budgets for these projects for final approval by the Social Welfare Commission; and for monitoring and reviewing the effectiveness of such projects and initiatives and the appropriateness and quality of the Department's range of services to the district it serves.

## DEFICIENCIES IN LAW AND PRACTICE

### *The Social Welfare Act*

96 Amendments to legislation will be necessary if our recommendations for a Social Welfare Commission are accepted. The Social Security Act will require amendment to abolish the Social Security Commission and provide for a review process with appeal to the Social Security Appeal Authority established under section 12 (c) of that Act. In addition the Social Welfare Act 1971 will require amendment to provide, to the extent necessary, for the establishment of our proposed Social Welfare Commission.

### *The Social Security Act*

97 As we have reported elsewhere, however, other amendments to the Social Security Act are in our view necessary to ensure that evidence as to verification of age and marital status can be established by authoritative Marae or other tribal records.

98 The Committee heard also the complexity of the law in relation to the eligibility requirements for social security benefits and agrees that a rationalisation of the law is almost a prerequisite to understanding of entitlement. Particularly is this so for the Maori elderly, but also the Committee suggests, appropriate to improve the level of understanding to all New Zealanders.

99 We have become aware of difficulties with the payment of social security benefits for children who are, in keeping with Maori custom, in the care of grandparents or other relatives rather than the natural parents. There

have also been difficulties with payments for children in cases where whanau members are unwilling or unable to support them. In such cases it has been the practice to take the children into Social Welfare care so that foster care payments can be made. The Committee believes it is inappropriate to place a child in State care merely for financial reasons. We consider that payments of social security benefits should be made sufficiently flexible to accommodate the special nature of Maori “adoptions” within the extended family.

100 The Committee believes that the unemployment benefit is essentially negative in character. While we are in no doubt that for many beneficiaries it is an essential payment, providing bridging income between jobs, nonetheless we think it ought to be restructured to provide greater incentive to work (whether part time or full time), to train or to undertake some entrepreneurial initiative. The Committee recommends, therefore, that the law be amended to provide the authority for the Social Welfare Commission to develop variations on or alternatives to the payment of unemployment benefit. This would cover cases where the need of the individual can be met better by tailoring the payment to appropriate need for work, training or individual or collective enterprise.

### *Children and Young Persons Act 1974*

101 During our inquiries, we were invited by the Minister of Social Welfare to recommend changes to the Childrens and Young Persons Act 1974. The Committee welcomed the opportunity to report, and a copy of this report is attached as Annex II.

102 The Committee considered a substantial ideological change necessary if the Act were to adequately cater to Maori needs. It did not therefore propose specific amendments but urged that the revision of the Act be shaped around the principles that follow.

#### *(a) Family and Community Involvement*

103 The Maori child is not to be viewed in isolation, or even as part of nuclear family, but as a member of a wider kin group or hapu community that has traditionally exercised responsibility for the child’s care and placement. The technique, in the Committee’s opinion, must be to reaffirm the hapu bonds and capitalise on the traditional strengths of the wider group.

104 This needs emphasis. The guiding principle in the current legislation is that the welfare of the child shall be regarded as the first and paramount consideration. There need be no inherent conflict between that and the customary preference for the maintenance of children within the hapu. The current principle is seen in practice as negating the right of the group to care for its own or to be heard in the proceedings.

105 The Committee heard several complaints of children placed with foster parents outside of the kin group to meet the child’s immediate and material needs but without any (or any adequate) attempt to find foster parents within the hapu.

106 The Committee was told the hapu was rarely consulted, sometimes as an omission, but more usually through a positive opinion that the hapu had no right to be involved, or because of an exaggerated emphasis on “confidentiality”.

107 The Committee considers these practices in urgent need of review. An affirmative statement of the hapu principle in the governing legislation

is now needed. The physical, social and spiritual wellbeing of a Maori child is inextricably related to the sense of belonging to a wider whanau group.

## **(b) Process**

108 The Court processes must be seen as relevant to the young Maori. It requires, in the Committee's view, that officers of the Court are sensitive to Maori needs, and that there is a place of status for the child's kin group. To the Committee it appeared many Maori viewed the Court processes with an enlarged sense of alienation, manifest in a range of attitudes from suspicion and fear to blatant derision and contempt. New courts and special Judges would be, in its opinion, as unnecessary as they would be unduly costly, but the need for special training, a greater awareness among Court officers, and substantial reform in procedures, seemed to the Committee to be self evident.

## **(c) Preventive Initiatives**

109 The judicial determination of problems involving the child must still be viewed as the course of last resort. The restrengthening of hapu bonds and responsibilities, and the funding of group initiatives to facilitate the Maori goal of caring for their own children, offers, in the Committee's view, the best hope for improving Maori performance, and enabling workable solutions either outside of the Court, or as a complement to the judicial function.

110 The channelling of resources to proposals for positive Maori development is dealt with more fully elsewhere in this report. For now, the Committee considers that any revision of the Children and Young Persons legislation should encapsulate this principle by enabling the appropriation of funds for programmes within hapu and tribal groups.

111 We suggest that it would be appropriate to look at the law in USA and Canada relating to the rights of kin groups within indigenous cultures and how they deal with their young people.

## **Recommendation 4**

**We recommend the following amendments to legislation:**

- (a) The Social Welfare Act 1971 be amended to provide for the establishment of the Social Welfare Commission.**
- (b) The Social Security Act 1964 be amended to provide for the following:**
  - (i) Abolition of the Social Security Commission.**
  - (ii) Clarify the law so that there is no impediment to verification of age and marital status being established from Marae or tribal records and that a Maori custom marriage is recognised for the purposes of the Social Security Act.**
  - (iii) Restructuring of the unemployment benefit so that it can provide greater incentive to work, whether part time or full time, training or entrepreneurial initiative and to provide the flexibility through discretion for the Social Welfare Commission to develop variations of or alternatives to the unemployment benefit that are tailored to the needs of the individual.**
  - (iv) Social Security benefit child supplements be made more readily available where the care of Maori children is**

transferred from natural parents to the grandparents or other relatives.

- (v) Eligibility to orphans benefit provisions be extended to include the claims of unsupported children, so that payment can be made to whanau members who are looking after these children.
- (c) The Children and Young Persons Act 1974 be reviewed having regard to the following principles:
- (i) that in the consideration of the welfare of a Maori child, regard must be had to the desirability of maintaining the child within the child's hapu;
  - (ii) that the **whanau/hapu/iwi** must be consulted and may be heard in Court of appropriate jurisdiction on the placement of a Maori child;
  - (iii) that Court officers, social workers, or any other person dealing with a Maori child should be required to make inquiries as to the child's heritage and family links;
  - (iv) that the process of law must enable the kinds of skills and experience required for dealing with Maori children and young persons hapu members to be demonstrated, understood and constantly applied.

The approach in recommendation (iv) will require appropriate training mechanisms for all people involved with regard to customary cultural preferences and current Maori circumstances and aspirations;

- (v) that prior to any sentence or determination of a placement the Court of appropriate jurisdiction should where practicable consult, and be seen to be consulting with, members of the child's hapu or with persons active in tribal affairs with a sound knowledge of the hapu concerned,
- (vi) that the child or the child's family should be empowered to select Kai tiaki or members of the hapu with a right to speak for them;
- (vii) that authority should be given for the diversion of negative forms of expenditure towards programmes for positive Maori development through tribal authorities; these programmes to be aimed at improving Maori community service to the care of children and the relief of parents under stress.

## Recommendation 5

We recommend that the Social Security Act be reviewed by the Social Welfare Commission with a view to removing complexity of conditions of eligibility and achieving rationalisation of benefit rates.

## *Institutions*

*“In Social Welfare they give money for other people to look after us yet they don’t give any money to our parents . . . It’s pretty hard to live with someone you don’t know. And I think its wrong to put us in a home . . . instead of giving money to our **parents** to look after us, that’s one thing they haven’t got. After a while you see kids going out pinching stuff they haven’t got-see all these hordes of kids going round, and they get jealous . . . burglaries, they get scared after a while. Parents try their hardest to look after you, but you can’t help it. You take off again and do the same thing . . . they tell you **on** and on . . . doing the same thing, and you say, ah yes, I like where I’m going, and you see something you want and you get what you want, and end up going back to prison again, or back to the home, and your parents **worry** all the time and try their hardest, and you just turn your back on them without knowing that they care. It’s **pretty** hard to get along.”*

112 The Committee notes that the great majority of residents of Social Welfare institutions are Maori and a good number are of Pacific Island descent. While the aim must be to adopt preventive measures aimed at stopping so many young people being put in these institutions in the first place, the institutions do exist and contain many children and young persons. We have a responsibility to make sure that their needs are properly catered for and that as many of them as possible are placed on the path to rehabilitation. We have been impressed by the success of some institutions which have tackled their responsibilities by trying to re-establish the tribal identities of the young people under their care. We were also impressed by the number of community groups that expressed a concern about the operations of the institutions and who spoke of their willingness to assume responsibility for them both in terms of policies and practices.

113 We think the Department must respond to the challenge from the communities and be prepared to entrust them with more responsibility for the operation of the institutions and its resources. We propose that each institution be under the control of a management committee with membership drawn from the local community in the same way as our proposed District Executive Committees. We see the management committees as having general oversight of the institutions although not responsible for their day to day running. We see them responsible to the Social Welfare Commission for the preparation of proposed budgets, for the allocation of resources once these have been approved and for the overall policies governing the operation of each institution in terms of its programme and recreational and cultural links with the local community. We would also see these committees ultimately being responsible for the appointment of staff, although this could be more of an evolutionary process.

114 As well as general oversight for the running of the institutions, we would see the management committees having a particular responsibility for seeing to what extent the young people in their care could re-establish their tribal identities and subsequently be released to the care of their respective hapu. Past experience has shown, however, that when young people have been released from institutions in this way, the success of this programme depends on the extent to which funding is made available to the tribal groups who assume responsibility for their young people. The management committees would, therefore, have a particular responsibility not only to identify appropriate ways in which young people can be released



but also the extent to which the funding should follow them to their tribal groups.

115 Because we were concerned to find, during our visits to institutions, that many of the young people there did not know their tribal identities, we believe this is a matter that the Management Committees must address urgently. When tribal identities have been established, the question of how many can be released to the care of their hapu can be examined. Indeed, the Committee heard many instances of unsuccessful attempts to settle children in foster care. As a result, the children moved through successive placements, becoming increasingly alienated and resentful at each step.

116 The Committee believes that only by directing resources at strengthening the hapu/iwi kinship ties will this situation be avoided, as placements with direct kin must have a greater chance of success. It is not enough to provide an alternative system to institutions. The necessary degree of responsibility and commitment to a child's welfare and future will be more certain where kinship exists. The Committee believes it is essential that when young people are released, the appropriate level of funding should follow the placement in the community.

117 This will allow the home communities to undertake their responsibilities adequately. The Committee also sees value in an institution establishing cultural enrichment programmes for young people in its care. It is important that such a programme should be appropriately funded so that, for example, the young people could be taken back to their tribal areas for short periods to teach them their heritage: history, culture, language and the nature of their tribal grounds.

118 The Committee was impressed by the success of some of the schools attached to the Social Welfare institutions and recommends that in appropriate cases consideration be given to releasing the young people from the institutions but, at the same time, finding ways in which they could continue to be involved with such schools.

## Recommendation 6

We recommend that:

- (a) Management Committees drawn from local communities be established for each Social Welfare institution;
- (b) the Committees shall be appointed by the Minister of Social Welfare under S. 13 Department of Social Welfare Act 1971 and shall be responsible to the Social Welfare Commission for the direction of policy governing individual institutions, allocating resources, making recommendations on the selection of staff and for ensuring that programmes are related to needs of children and young persons and are culturally appropriate.
- (c) each Committee shall consist of up to 9 persons appointed to represent the community on the nomination of the Maori tribal authorities and on the nomination of other community interests and with one member to represent the Director-General of Social Welfare and one to represent the Secretary of Maori Affairs. The Chairperson will be a non-public servant member. Members are to be paid in the normal way;
- (d) as a priority the Committees shall address the question of alternative community care utilising the extended family;
- (e) the Committees shall have the right to report to the Social Welfare Commission on matters of departmental policy affecting the institutions.

- (f) funds be provided to enable children from institutions to be taken back to their tribal areas for short periods to give them knowledge of the history and nature of the areas and to teach them Maori language and culture;
- (g) provision be made to enable young people to be discharged to home or community care and to continue to attend schools attached to Social Welfare institutions.

## **Maatua Whangai**

*“... the funding should be directed to the Maatua Whangai so that they can channel direct to the families rather than going through the rigmarole of going from one section of Social Welfare to another”.*

*“If the programme is to get the support of the people then it must come back to the whanau base, and when I say that, it must come back with all accountability”.*

119 The Committee was made aware of the strong support for the Maatua Whangai programme. There is no doubt that many Maori people and officers of the departments involved are committed to the scheme's success. However, the Committee believes that it was a mistake for Maatua Whangai to proceed beyond the pilot stage until success was proved. It seems that too much could have been expected of the programme because it tried to move too far too fast. In our opinion, Maatua Whangai should return to its original focus of nurturing children within their family groups as the primary alternative to a child coming into care. Only when the whanau/hapu is sufficiently strong in numbers of families and supportive networks should the programme try to extend its activities.

120 The Committee notes that a recent review of the scheme by officers of Departments of Justice, Social Welfare and Maori Affairs bases the supportive network on the tribal system through the Trust Boards. This should be encouraged and developed, with any funds available being directed to the development of the whanau network and supporting systems. There are obvious advantages in the kin-based support systems being authorised to handle their own board payments. The Trust Board should therefore have a system in place to transfer payments quickly to each tribal network and to account to the Department and to the community.

121 The Committee also believes that the funding mechanism must be governed by the principle that board payments should follow the child and be paid direct to the family of placement quickly and accurately.

122 The Maatua Whangai programme is an example of a co-ordinated effort between government departments and the community. However it will be effective to the extent that resources of the various departments are co-ordinated and targeted towards needs.

123 We have been impressed by the level and commitment of volunteer support for the Maatua Whangai programme, which indeed relies heavily upon voluntary help. We believe that community involvement in social services is important and that it can meet specific needs not otherwise available.

124 In order to attract and retain volunteers from the Maori community, the reimbursement for out-of-pocket expenses needs to be adequate. It is acknowledged that the amount of reimbursement is small in relation to the value of the voluntary service and the savings to Social Welfare funds.

## Recommendation 7

We recommend that:

- (a) the Maatua Whangai programme in respect of children return to its original focus of nurturing children within the family group;
- (b) additional funding be allocated by the Department to the programme for board payments and grants to tribal trusts for tribal authorities to strengthen whanau/hapu/iwi development;
- (c) the funding mechanism be through the tribal authorities and be governed by the principle that board payments should follow the child and be paid direct to the family of placement, quickly and accurately and accounted for to the Department in respect of each child. The programmes should be monitored for suitability of placement and quality of care;
- (d) the level of the reimbursement grant for volunteers be increased to a realistic level.

### Rangatahi

***“We have youngsters coming into our schools who have the full range of potentials and abilities and they’ve learnt only one thing from the Education Department out in community schools, and that is that they are failures.”***

***“Our children and young persons need to find their identity in relation to their immediate family, their extended family and their own personal lines of descent.”***

***‘As I was saying, we’re a new tribe, a brand new tribe, we have our marae. The centre is our marae. That’s our marae.’***

125 In the Auckland area alone recent information gives cause for serious concern. The following estimates are from Auckland Police and schools:

- 300-400 unsupervised young people on the streets (about 90% Maori);
- 200-300 chronic solvent abusers;
- 1%-5% of children, on a daily basis, who should attend school not doing so. (1% is 4 250 children; 5% is 21 250).

126 Figures like these suggest that parental influence has broken down and that Maori networks are not yet strong enough to be really effective. The Committee does not see this as a matter with which the Maori community can be expected to deal themselves. It is imperative for steps to be taken to ensure that there is adequate funding in place to allow a co-ordinated strategy by the Department of Social Welfare and Maori Affairs and the Police which will promote community efforts to strengthen Maori networks and family linkages.

127 The statistics for Maori unemployment are alarming: 14% of the Maori labour force is unemployed compared with 3.7% of the Pakeha labour force. For Maori:

- 20% between ages 15 and 19 years are unemployed.
- 32% of all unemployed between ages 15 and 19 years are Maori.
- 25% of the Maori labour force under aged 25 are unemployed—almost 10 000 of Maori youth.

128 As we mention elsewhere, in the Committee’s view much of the expenditure by Social Welfare on unemployment benefits is a negative expenditure. It demands that a person continually fails to get work in order to qualify for continued payments. The cumulative effect of failure on failure

soon destroys incentive and self confidence.

129 The evidence seems overwhelming that the Maori underperformance in social and economic status and law observance is symptomatic of alienation and mono-culturalism leading to the disintegration of traditional sanctions.

130 One Maori initiative which its youth has employed is to form groups to counteract cultural and identity loss.

131 The disintegration of Maori society has occurred over a 150 year period. It shall not be rebuilt in a decade.

132 Though traditional resources survive-our elders, **Marae**, traditional communities and perhaps above all the language-these point the way back. The reality is that our future is to be built on today's youth, many of whom are alienated from their culture and identity.

133 The monitoring systems for the kohanga reo movement will impact upon the present pre-school generation and will influence the parents of that generation. At the same time the Maatua Whangai programme is aimed at strengthening whanau, hapu, iwi ties.

134 The Committee believes strongly that the generational shift through the kohanga reo initiative promises to be the basis for rebuilding future Maori society based on strong tribal traditional ties. The extended family of Maori society, the whanau linking to hapu and iwi networks, spreads support well beyond the parameter of modern nuclear families. It has always been so.

135 However the Committee believes that Maori youth today is in a vulnerable position leading to crises. This report is committed to the notion that we should spread resources out among the Maori community to help them to:-

- (a) Address themselves to supporting initiatives and projects which will have the dual purpose of educating the youth in their culture and restoring their self worth; and to
- (b) Provide the Maori community with valid and credible support for establishing such initiatives and projects.

136 It may be necessary for youth, men and women, who over the last decade or so have been forced into group activities and initiatives to be embraced with more than just programmes that provide incentives for work and development. They also need nurturing and support that will reunite them with their tribal groups so that they become identified and strengthened.

137 Given the sort of drive that Maatua Whangai is developing, tribal structures will take on renewed vigour. The confidence in the elders will be restored and strengthening of personal identity will produce results.

## ***Funding Initiatives***

138 The Committee's resolve is to work through Maori tribal authorities in the allocation of funds for positive initiatives and outcomes.

139 Our commitment is to the attainment of socio-economic parity between Maori and non-Maori by the provision of resources to meet Maori needs on Maori terms. The Maori Economic Development Commission has also recognised that negative funding, or funding that compounds negative outcomes for Maori people-dependency, unemployment, institutionalisation etc-should be redeployed.

140 We recognise that the transfer of funds from negative spending to positive initiatives cannot be immediate. For a period, total expenditure would need to increase as new programmes are put in place. But in time,

double funding would reduce and finally cease as permanent savings are effected through reductions in, for example, the numbers of people in institutions or those receiving unemployment benefits.

141 The Committee endorses the initiatives shown by some Maori tribal authorities who have undertaken entrepreneurial activities-tourism, small businesses etc. Such activities utilise the considerable cultural skills of Maori people and also give employment. We believe it is essential for authorities to invest in urban as well as in rural areas if they are to give the economic leadership for which young Maori people are looking.

142 As a major thrust of this report is the support of positive initiatives to enable Maori people to care for their own, we have concerned ourselves with operating mechanisms. The Committee suggests that the Social Welfare Commission has overall responsibility for the direction of national budgets for institutions, family and community development projects and for diversionary programmes for channelling negative spending into positive investments. The funds released as a result of diversionary policies should be targeted for work, training and cultural activities through tribal authorities.

143 The Commission would allocate funds to committees-district and institution, in consultation with tribal authorities, having regard to needs and priorities. The committees would be accountable for the operation of the budgets and for monitoring the projects. This is to ensure that initiatives and positive development are soundly based and in the interests of both child and family.

144 We list here some examples of Maori community initiatives which impressed the Committee because of their flexibility, creativity, and response to needs. However, we believe that more positive development is required, particularly of programmes in their local areas for the young unemployed. Among programmes we noted for special mention were: Sonny Waru's work with young Maori at Opunake; Eva Rickard's programme at Raglan; the Taumarunui Maatua Whangai operation; the Nga Hau E Wha Trust, Christchurch; the Tuwharetoa initiative; the Whakatohea Trust Board's programme at Opotiki. In some areas the working relationship between Social Welfare and Maori Affairs has produced similarly positive initiatives.

## **Recommendation 8**

**We recommend that:**

- (a) the Departments of Social Welfare, Education, Labour and Maori Affairs in consultation with tribal authorities promote and develop initiatives aimed at improving the skill and work experience of the young long term unemployed;**
- (b) the proposed Social Welfare Commission meet with Maori authorities to consider areas of needed investment in urban and rural districts to promote the social and cultural skills of young Maori people and to promote training and employment opportunities for them.**

## Recruitment and Staffing

*“... in the area of staff selection . . . there's barriers preventing Maori people from getting through into the positions”.*

*“... instead of employing more social workers, you should be looking to the community, and even though they don't have those so-called qualifications as a social worker, the mere fact that they're doing the work, gives them a heap more credibility . . .”*

*“Many other Maori who feel really uncomfortable in the Social Welfare offices where we usually have to go to get our benefits because its usually all Pakehas, and their attitude is, they've got the power to say yes and no to you. So you know you've go to go there on your hands and knees.”*

145 We were told that the absence of brown faces inhibits Maori clients of the Department and we accept this. However we are not convinced that the answer to such problems lies in the wholesale recruitment of Maori staff. Nevertheless, a racial imbalance exists in staffing and the Department should monitor this carefully whilst working consistently to redress the imbalance.

146 In our view, it is essential for the Department to recruit more social workers who are Maori or who are knowledgeable in and sensitive to Maoritanga. To recruit such people, it will be necessary to consider the job descriptions for social workers in terms of the clientele with whom they will work, with specific reference to the needs of Maori communities.

147 In making appointments and promotions within the Department, it is important to interpret section 28(5) of the State Services Act 1962 so that the qualifications of Maori people are not under-estimated. If their departmental work involves dealing with Maori clients, job descriptions should state this explicitly and interviewing panels should include people who are knowledgeable in Maoritanga.

148 The Committee identified a need for community liaison officers to work in reception areas of district offices. Their role would be to help clients understand how the Department operates and if necessary, to complete benefit applications etc.

149 There is also a need for such officers to work in the community, such as on the marae, in institutions and in Kaumatua flats. For both groups of people it would be appropriate they be paid on contract to each community for specified periods of time. They would be expected to maintain a close liaison with the local district executive committee which should advise on the initiation and renewal of such contracts.

## Recommendation 9

**We recommend that:**

- (a) job descriptions for all staff acknowledge where appropriate the requirements necessary for the officer to relate to the community including the needs of Maori and Maori community;**
- (b) interview panels should include a person or persons knowledgeable in Maoritanga;**
- (c) the Department provide additional training programmes to develop understanding and awareness of Maori and cultural issues among departmental staff;**
- (d) additional training positions be established for training in Maoritanga;**

- (e) provision be made for the employment of staff to provide temporary relief while other staff attend training;
- (f) assistance be provided to local Maori groups offering Maoritanga programmes for **staff**; and
- (g) the Department accredit appropriate Maori people to assist in field and reception work.

## **Training**

***“How can you expect people to give a good service delivery if they’re not trained, and they’re not trained in anything. We don’t get training in bi-culturalism or multi-culturalism, but we certainly also don’t get any training in the task that we’re put here to do, and until we get task training, plus all the other things that come, I think that our social delivery is dead.”***

***“I’m on secondment to the Staff Training Unit and I agree that the staff should be trained in how to handle multi-cultural issues, but the difficulty is that we as trainers receive no training and I think that this is an issue that should be looked at.”***

150 The Committee is disturbed at the adverse comments we heard about training programmes in place across the Department and recommends that urgent steps be undertaken to improve departmental performance in the training area.

151 Indeed, the impression gained was that the Department is so overloaded in terms of its day to day operations that the training effort is inadequate to cope and has been unable to keep pace with staff turnover and demands of the work.

152 The training of counter staff in terms of sensitivity to cultural questions has to be stepped up both in quantity and in quality. Although a number of offices were making attempts in this direction by, for example, spending a day on a local marae, there needs to be much more in-depth training before the Department can be confident that its staff are not only sympathetic to but understand the needs of Maori clients much better.

153 Both staff and the community questioned the relevance to the needs of the Maori of much of the university based training of social workers. We were told repeatedly that training programmes were based on North American and European models which we consider inappropriate to New Zealand situations. Furthermore the casework approach to social work which asserts the paramountcy of the individual, is in itself contrary to Maori values, which emphasise the pre-eminence of the group. This serious ideological difference has been noted in more detail in the Children and Young Persons part of our report.

154 The Committee believes strongly in strengthening tribal groups to care for their own. Therefore, it suggests that social work practice should be based on an altered philosophy that studies the needs and responses of the whanau, hapu and iwi.

155 Community questioning of the relevancy of training programmes was not confined to the Department of Social Welfare. Many other departments of state were also criticised. We note the recent review of the Social Work Training Council emphasises the need for a Maori perspective and we endorse this. But in terms of all departments that deliver social services, we believe the State Services Commission must act urgently to analyse the

training needs for social service delivery in the Public Service and set appropriate objectives and methods of achievement across all departments. Further, the Commission should assess the extent to which tertiary social work courses are meeting cultural needs for those public servants seconded as students to the courses,

156 The need for improvement in the Department of Social Welfare is in our view so urgent that we recommend immediate action. The Department should contract appropriate Maori trainers through Department of Maori Affairs to develop courses that introduce a Maori perspective into all aspects of its training programme.

157 If the Department is to achieve the delivery of bi-cultural service, it is essential that the staff who provide the service have an understanding and awareness of Maoritanga and cultural issues. We consider that it is essential for training in Maoritanga to be provided for all Social Welfare staff, by the provision of training resources and by using Maori community resources.

## Recommendation 10

**We recommend that:**

- (a) the Department take urgent steps to improve its training performance in all aspects of its work;**
- (b) the State Services Commission undertake an analysis of the training needs of all departments which deliver social services;**
- (c) the State Services Commission assess the extent to which tertiary social work courses are meeting cultural needs for those public servants seconded as students to the courses;**
- (d) the Department in consultation with the Department of Maori Affairs identify suitable people to institute training programmes to provide a Maori perspective for training courses more directly related to the needs of the Maori people;**
- (e) (i) additional training positions be established for training in Maoritanga at the district level;**
  - (ii) provision be made for the employment of staff to provide temporary relief while other staff attend training;**
  - (iii) assistance be provided to local Maori groups offering Maoritanga programmes.**

## Communication

“ . . . Our department is very hung-up on filling in forms. . . ”  
“You haven’t got a daily bus service here, like in Wellington, you know-you just go and stand on a bus stop-along comes the bus every so many hours. Not here. It might mean next week. Every week that’s less money you’re not getting”.

158 Insensitivity to Maori tradition and practices are often seen as arrogance and rudeness by Maori clients, particularly by the elderly, and can inhibit people from coming to district offices. The young people, too, can feel uneasy and alienated in uncomfortable waiting rooms and among inexperienced staff.

159 The Committee recommends that the Department have prepared written material as part of a programme of staff awareness to change attitudes by creating a greater understanding of Maoritanga.



160 Where clients have complained of overcrowding, long waiting times and lack of privacy, we recommend investigation of methods of streamlining the operations. There are some very good models among the offices we visited. For instance, in some offices the counters are staffed by experienced people with the ability to identify needs and direct clients to staff who can make decisions.

161 We also recommend that immediate steps be taken to improve district office operations in dealing with their clients, waiting rooms and the design of some Department offices.

162 We think that application forms should be simplified and that staff should be able to explain requirements so that clients can understand. Our recommendation for the employment of liaison officers on contract to work in offices and in the community should redress this area.

163 We found communication between the Department and its clients tended to be better where offices were small and staff members knew each other and their communities well. We were impressed by the efforts made by some offices to identify and meet the needs of clients.

164 We also believe that as part of communicating with its public, district directors and other senior staff should maintain a high profile in their communities and should be very well informed about the commercial and economic situation in their districts.

165 We have observed that a considerable number of Maori people are unaware of many of the income support and other welfare assistance measures available from the Department of Social Welfare because they either do not have access to or cannot understand the Department's publicity and information material.

166 We consider that special attention needs to be given to developing publicity and information material which is both appropriate and accessible to Maori people, and other ethnic groups.

## **Recommendation 11**

We recommend that:

- (a) the Department ensure appropriate advice to its information staff on the specific public relations and information needs of particular ethnic groups, and to assist with interpretation and translation into Maori;
- (b) immediate steps be taken to continue to improve the design and function of public reception areas;
- (c) an immediate review be undertaken by an appropriate firm of consultants of the range of all application forms to reduce their complexity;
- (d) that funds be allocated to Social Welfare district offices with a high Maori population to provide some remuneration to Maori elders who provide assistance to Social Welfare staff in dealing with Maori clients;
- (e) a toll free calling service to Social Welfare district offices be installed to enable all Social Welfare clients living outside toll-free calling areas to ring the Department free-of-charge;
- (f) a general funding programme be established which could be drawn on by these areas for community self-help projects. These funds could be used for example, to employ a community worker, or to provide back-up funds for voluntary work.

## Co-ordination

***“Staff/client relations, staffing recruitment, cultural misunderstanding and other problems associated with reception areas are the tip of a huge iceberg. From this point, difficulties experienced by Maori people in their interaction with the department snowball into many areas. This could indicate that a major reassessment rather than minor adjustments are needed.”***

167 All the community groups and many of the staff to whom we spoke raised the problems of lack of interdepartmental co-ordination. From the clients' viewpoint, the problems were mainly to do with unemployment, where people have to deal with both Social Welfare and the Department of Labour. They pleaded for one department to do the job.

168 Again, the criticisms we received from the community about the Department of Social Welfare could equally apply to other departments, particularly those working in the social service area: Education, Justice, Health, Labour, Maori Affairs.

169 We also were given a clear picture of problems that need addressing across the board. The point was made repeatedly, for example, that the clients of the Social Welfare Department or Justice, had records of indifferent health, poor educational achievement, unemployment, inadequate housing etc. These problems plainly require a co-ordinated approach from Government agencies.

170 Smaller, rural communities spoke of difficulties due to lack of transport. It was suggested that joint representation by Government departments in small towns could be feasible, thereby bringing several services closer to the clients, with particular benefits for social welfare beneficiaries.

171 Although the picture varied from centre to centre, we were told by the staff about the lack of co-ordination among departments and their concern that no mechanism for co-ordination appeared to exist even when they were dealing with the same clients. Inter-departmental rivalries and jealousies seemed to interfere with any joint operation. We regard it as a matter of urgent priority for the State Services Commission to take steps to ensure more effective co-ordination among its State social service organisations.

172 Indeed, the Committee did consider whether a transfer or regrouping of welfare functions of the key welfare departments could be possible in order to make the delivery of welfare services more effective. However, we resisted recommending such an option. We believe that the strength of the Maori family will return, but that this strength will take time to be restored. We also believe that the department's concern must be to take advantage now of the tremendous drive amongst Maoridom to improve its family strength. Therefore, immediate and broader term problems have to be addressed by departments and agencies working together to direct existing resources to best possible advantage.

173 The Committee notes in this regard, the Government intends to establish a Royal Commission on social policy and no doubt, if structural change or shift in responsibilities is required, such change will follow the examination by this commission of the equity of resources and their use as between the different sectors. We are concerned only with the Department of Social Welfare and its capability to combine with other departments and agencies to address the social problems that exist now. We think it important that the Terms of Reference for the Royal Commission take account of the issues raised in our report.

## Recommendation 12

We recommend that:

- (a) the Terms of Reference for the intended Royal Commission on Social Policy take account of the issues raised in this Committee's report;
- (b) the State Services Commission take immediate action to ensure that more effective co-ordination of the State Social service agencies occurs.

## A COMPREHENSIVE APPROACH

174 The Committee observed and heard at first hand the frustration, the resentment and even anger that arise when there are serious structural imbalances in society. The symptoms of these imbalances are unemployment, poor housing, street kids, young offenders, homelessness, dropouts, child abuse, alienation, family disruption, low incomes, low self esteem, lack of opportunity.

175 The Committee is convinced that only a concerted effort by Government and the community can address the crisis that is occurring not only in the larger city areas but in some rural centres as well. The problem is of such magnitude that the response requires a major shift of social and economic resources among all social service and community agencies that can deliver them.

176 The need is urgent. A sense of injustice arises from:

-a perceived lack of understanding of the reception and treatment of the problems faced by the community;

-a sense of injustice towards law enforcement, legal, judicial, penal and welfare systems;

-a sense of rejection and failure by an education system within which many of the young fail to reach their potential and leave under educated and underskilled;

-unemployment;

-acute difficulties in finding independent accommodation;

-feelings of prejudice and discrimination leading to young people seeking common identity within groups and gangs.

177 The above ingredients are likely to make a conventional, individual, departmental or caseworker approach inadequate. We believe the approach must be integrated and comprehensive and supported by local and central Government, Maoridom, business-in fact, by the whole community.

178 In putting this view forward we note and record comments of Lord Scarman in his report on the Brixton disorders':

*" . . . . the lack of an effective co-ordinated approach to tackling inner city problems. . . . conflicting policies and priorities as between central and local government. . . . appear to have been a frequent source of confusion and reduced drive. "*

Again,:

*" . . . local communities should be more fully involved in the decisions which affect them. "*

""The Brixton Disorders 10-12 April 1981: Report on an Enquiry by the Rt. Hon. Lord Scarman OBE."

“ . . . . Inner **city areas** are not **human deserts: they possess a wealth of voluntary effort and goodwill. It would be wise to put this human capital to good use.** ”

And on the co-ordination of the Social Services:

**“There is also, I suggest, scope for much closer liaison between the police, the other local services—the probation service, social services and housing departments and the voluntary sector.”**

We have also noted the United States Report of the National Advisory Commission on Civil Disorders (1968):

**“The only genuine, long-range solution for what has happened lies in an attack-mounted at every level-upon the conditions that breed despair and violence. All of us know what those conditions are: ignorance, discrimination, slums, poverty, disease, not enough jobs. We should attack these conditions—not because we are frightened by conflict, but because we are fired by conscience. We should attack them because there is simply no other way to achieve a decent and orderly society in America.”**

179 The Committee believes strongly that problems in the community must be addressed by the whole community. However, Government must provide the leadership and expertise to co-ordinate resources for the community. It is not enough for departments and agencies to meet around conference tables. We need the co-ordinated approach that has been used to deal with civil emergencies because we are under no illusions that New Zealand Society is facing a major social crisis.

180 The solutions to social problems lie in a co-ordinated attack on the problems, involving the resources of the private sector as well as the public and particularly of the people themselves.

181 The Committee has given much thought to how this co-ordinated action can be directed. The problem is so serious that in the Committee’s view, it requires the attention of the Cabinet itself. It seems to the Committee that the most appropriate mechanism would be a Cabinet Committee of Ministers and Permanent Heads of Government departments, for example the Cabinet Committee on Social Equity.

182 A major factor in nearly all youth alienation is the lack of opportunity for the disadvantaged young to work. The role of employment in this realisation is critical. It requires a matching between employer and unemployed individuals, and this involves the business community in a social role. The business community must be an integral part of decision making in the crisis situation.

183 We recommend therefore that the Cabinet Committee on Social Equity and permanent heads be responsible for planning and directing the co-ordination of resources to promote and sustain community response. Since commerce, industry, Maoridom and the local communities are involved as well as Government and local bodies, we suggest the Cabinet Committee invites leaders from these areas to share in the task. In our opinion, this action will result in a firm commitment to work together to address the problems.

184 The community will respond to the challenge but since the solutions require in the main, major social and economic shift, it does and will need help over a lengthy period to respond to its own needs and make the best use of existing resources, human and other.

## Recommendation 13

We recommend that:

- (a) immediate action be taken to address in a comprehensive manner across a broad front of central Government, local Government Maori tribal authorities and the community at large, the cultural, economic and social problems that are creating serious tensions in our major cities and in certain other outlying areas;
- (b) the aim of this approach be to create the opportunity for community effort to:
  - (i) plan, direct, control and co-ordinate the effort of central Government, local Government, tribal authorities and structures, other cultural structures, business community and Maoridom;
  - (ii) harness the initiatives of the Maori people and the community at large to help address the problems;
- (c) the Cabinet Committee on Social Equity and their Permanent Heads be responsible for planning and directing the co-ordination of resources, knowledge and experience required to promote and sustain community responses and invite representatives of commerce, business, Maoridom, local Government and community leaders to share in this task.

## EPILOGUE

185 The Committee, because it approached its task in an essentially Maori way, felt obliged before reporting to you to consult with people we heard from, on marae and at other gatherings, on our broad conclusions and findings. To do this we arranged a national hui at the Waiwhetu Marae, Lower Hutt, on 5-6 June 1986 which was attended by two representatives of each of the marae visited by the Committee, other kaumatua, the heads of Government social service departments, all regional district directors of the Social Welfare Department and the Department of Maori Affairs along with Senior Head Office representatives of DSW and other departments.

186 We were pleased that you and your colleague, the Minister of Maori Affairs, were present on the Friday morning to experience for yourselves the tremendously warm and supportive spirit generated at the hui. Your own unequivocal commitment to the recommendations of the report, expressed in your speech, was of great significance to all present. When we add to this the evident goodwill of the Maori people and the strong personal commitment demonstrated by the Director-General of Social Welfare and other key public-servants, we are excited at the prospect of PUAO-TE-ATA-TU, of day break for the Department of Social Welfare, the Maori people and all the peoples of Aotearoa.

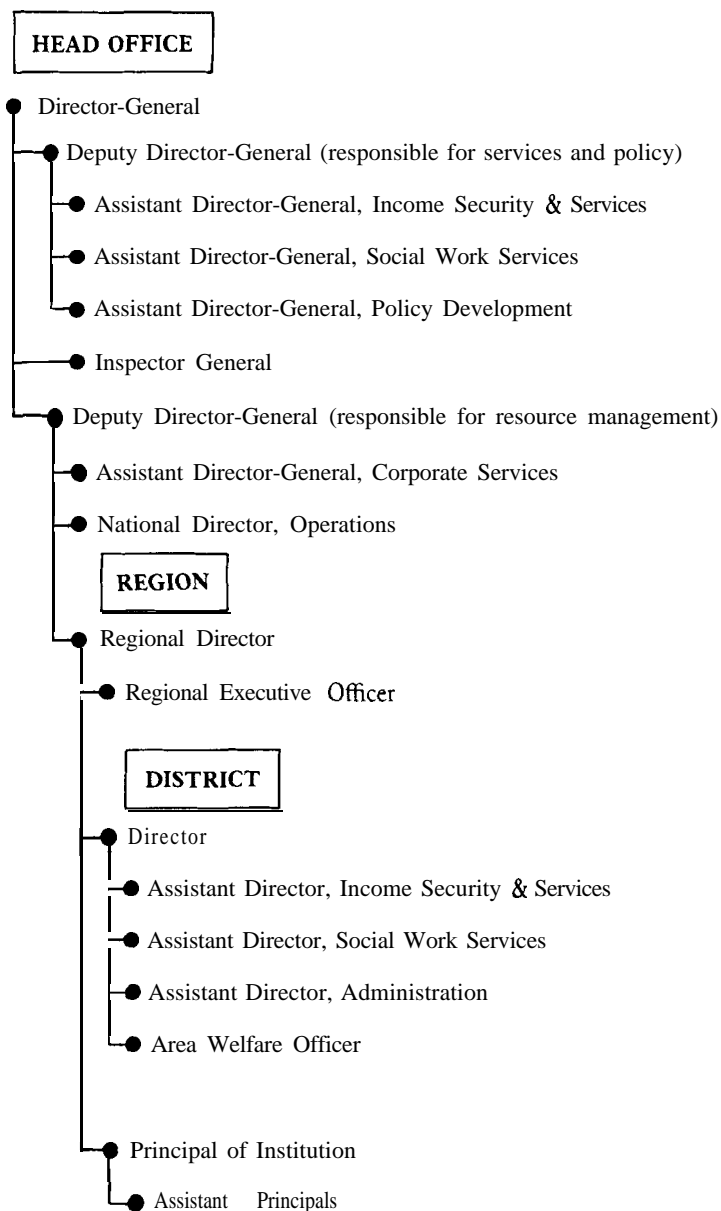
187 It is our belief that, if the Department of Social Welfare can effectively implement the steps we see as necessary to develop “an approach which would meet the needs of Maori in policy, planning and service delivery in the Department of Social Welfare” then all New Zealanders will benefit from the changes.

John Rangihau  
Chairman

# ANNEX I

## DETAILS OF THE ORGANISATION OF THE DEPARTMENT OF SOCIAL WELFARE

### GENERAL ORGANISATION



# DEPARTMENT OF SOCIAL WELFARE STRUCTURE

(The regional grouping of social welfare districts and associated facilities)

HEAD OFFICE	
Northern Region	
Whangarei Takapuna Auckland	Special Purpose Offices (3)* Community Care Assessment Centre Staff Training Centre
South/West Auckland Region	
Henderson New Lynn Manukau Otahuhu	Papakura Special Purpose Office** Child Care Institutions (5)
Central North Region	
Hamilton Taumarunui Paeroa Tauranga	Whakatane Rotorua Gisborne Child Care Institutions (2)
Central Region	
Wairoa Napier Hastings New Plymouth	Wanganui Palmerston North Child Care Institutions (4) Staff Training Centre
Central South Region	
Masterton Wellington Porirua Lower Hutt	Blenheim Nelson Child Care Institutions (2) Staff Training Centre
Southern Region	
Greymouth Christchurch Timaru	Dunedin Invercargill Child Care Institutions (4)

\*Serving 'Greater Auckland' in respect of Family Benefits, Family Care, and Social Work Services

\*\*Serving 'Greater Auckland' in respect of National Superannuation.

## DEPARTMENT OF SOCIAL WELFARE

<i>District</i>	<i>Current Benefits</i>	<i>Children in Care</i>	<i>Popn.</i>	<i>Staff</i>
NORTHERN				
KAITIAIA	849	110	19 200	21
WHANGAREI	50 202	219	105 200	190
TAKAPUNA	6218	166	186 200	136
AUCKLAND	17 368	436	275 100	386
AUCK (FB/FC)	176 254			104
AUCK REG. INST.				209
AUCK REG.		36		128
Sub-Total Northern	250 891	967	585 700	1 174
SOUTH-WEST AUCKLAND				
AUCK (NS)	123 111			55
HENDERSON	3 257	122	56 400	77
NEW LYNN	3 491	105	82 600	82
MANUKAU	8 641	291	91 400	206
OTAHUHU	4 359	241	90 200	132
PAPAKURA	3 564	156	115 700	96
Sub-Total S.W. Auckland	146 423	915	436 300	648
CENTRAL NORTH				
HAMILTON	96 589	441	239 300	444
TAUMARUNUI	736	69	18 000	27
PAEROA	20 571	120	48 200	69
ROTORUA	35 543	171	88 400	134
WHAKATANE	12 410	116	44 100	72
TAURANGA	36 886	112	85 700	115
Sub-Total Central North	202 535	1029	523 700	861
CENTRAL				
GISBORNE	24 181	121	47 000	100
WAIROA	683	51	11 150	20
NAPIER	25 523	144	60 400	112
HASTINGS	30 016	189	71 500	116
NEW PLYMOUTH	42 101	203	102 650	131
WANGANUI	31 920	141	72 900	132
PALMERSTON NORTH	57 338	235	142 100	198
Sub-Total Central	211 162	1084	507 700	809
CENTRAL SOUTH				
MASTERTON	18 749	172	43 800	93
WELLINGTON	46 940	104	133 000	230
PORIRUA	32 315	175	76 600	134
LOWER HUTT	48 905	180	132 300	197
BLLENHEIM	15 657	51	36 800	48
NELSON	29 674	99	69 400	94
Sub-Total Central South	192 240	781	491 900	796
SOUTHERN				
GREYMOUTH	14 212	61	33 600	52
CHRISTCHURCH	144 485	507	340 400	598
TIMARU	44 346	120	103 100	119
DUNEDIN	64 597	273	156 100	276
INVERCARGILL	41 921	148	112 800	140
Sub-Total Southern	309 561	1 109	746 000	1 185
HEAD OFFICE	904			407
NAT. INST.		270		233
DPC				155
Sub-Total Head office	904	270	0	795
NEW ZEALAND	1 314 316	6 155	3 291 300	6 268

### NOTES

- 1: Benefits, staff as at 31 December 1985.
- 2: Children in Care as at 30 November 1984.
- 3: Population as at 31 March 1985.
- 4: Expenditure, 1 April 1985 to 28 February 1986.



# DEPARTMENT OF SOCIAL WELFARE

Points of operation by size of staff numbers

CHRISTCHURCH	559
HAMILTON	412
AUCKLAND	288
DUNEDIN	261
WELLINGTON	230
LOWER HLTJTT	182
MANUKAU	177
WHANGAREI	168
PALMERSTON NORTH	156

PORIRUA	134	GREY LYNN	47
TAKAPUNA	133	GREYMOUTH	46
INVERCARGILL	132	PANMURE	42
WANGANUI	129	MANGERE	28
ROTORUA	123	LEVIN	28
NEW PLYMOUTH	119	TOKOROAO	27
TAURANGA	115	TAUMARUNUI	27
HASTINGS	113	OTARA	27
NAPIER	112	KAIKOHE	22
OTAHUHU	104	KAITAIA	21
GISBORNE	100	WAIROA	20
MASTERTON	93	UPPER HUTT	15
NELSON	91	OAMARU	15
TIMARU	85	PUKEKOHE	13
PAPAKURA	83	TAUPO	11
NEW LYNN	78	RANGIORA	10
HENDERSON	77	PAPANUI	9
WHAKATANE	72	HOKNBY	9
PAEROA	63	HAWERA	9
BLLENHEIM	48	ASHBURTON	9

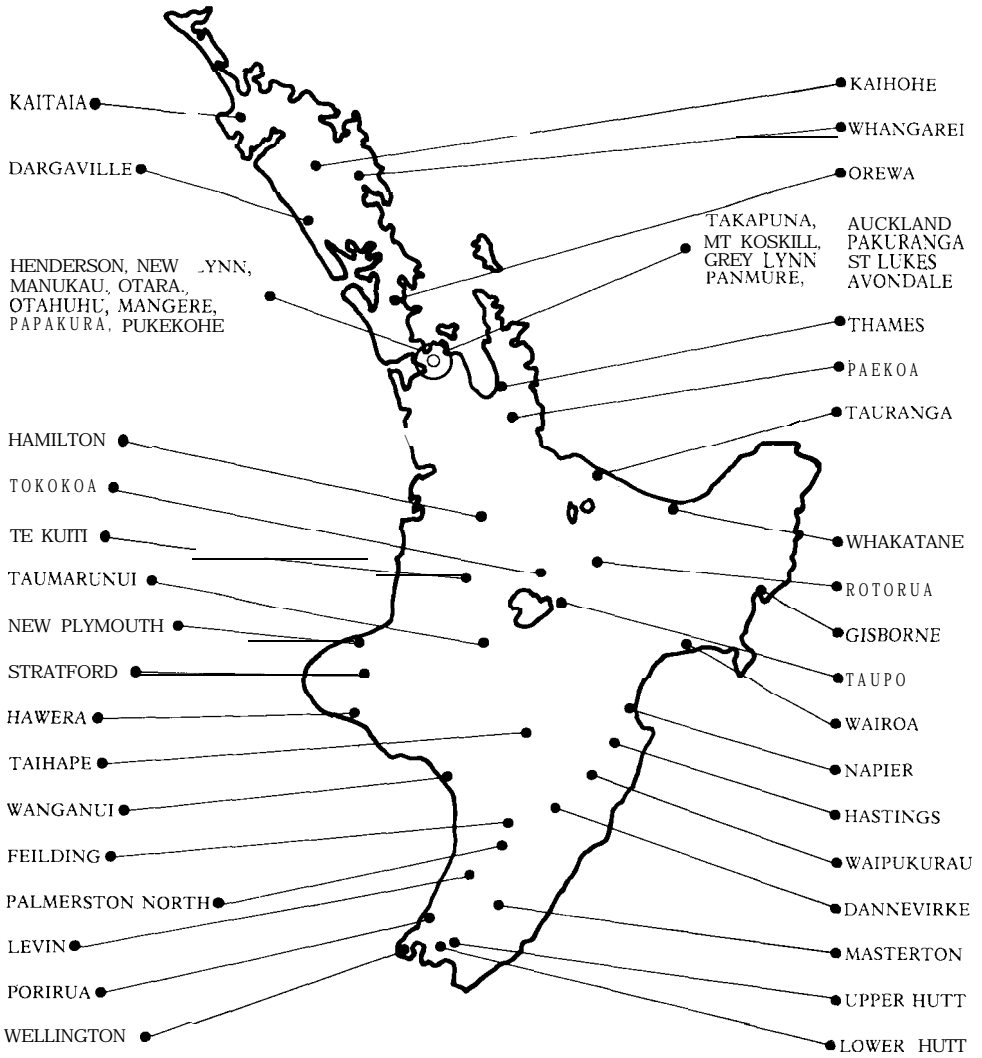
GORE	8
DANNEVIRKE	8
ALEXANDRA	8
BALCLUTHA	7
WESTPORT	6
THAMES	6
MT ROSKILL	6
FEILDING	6
TE KUITI	4
ST LUKES	4
DAKGAVILLE	4
AVONDALE	4
WAIPUKURAU	3
TAIHAPE	3
SYDENHAM	3
STRATFORD	3
SHIRLEY	3
PAKURANGA	3
OREWA	3
NEW BRIGHTON	3
MOTUEKA	3

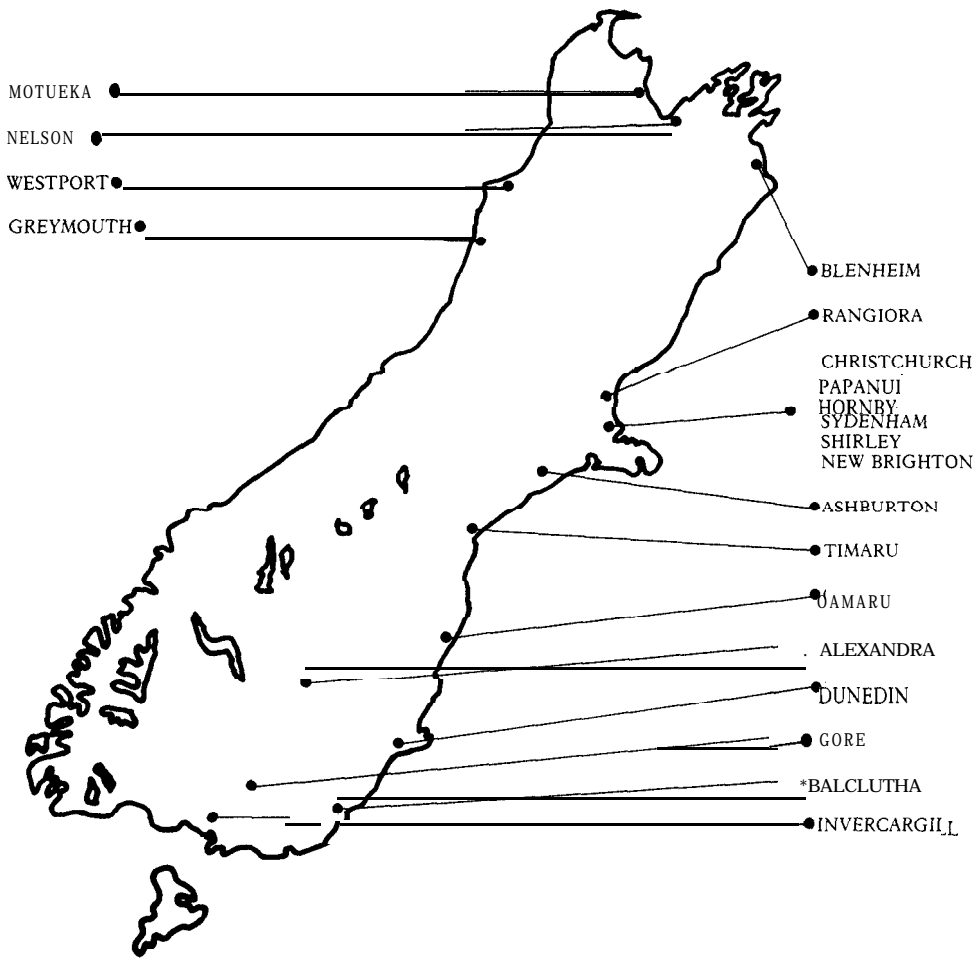
A-Offices of a size tending to attract the criticism of being 'too large'.

B-Offices of a size within the broad parameters of 'optimum'.

C-Offices of a size which is probably 'uneconomic' but delivering an essential social service.

Points of operation by location





MOTUEKA

NELSON

WESTPORT

GREYMOUTH

BLENHEIM

RANGIORA

CHRISTCHURCH

PAPANUI

HORNBY

SYDENHAM

SHIRLEY

NEW BRIGHTON

ASHBURTON

TIMARU

UAMARU

ALEXANDRA

DUNEDIN

GORE

\*BALCLUTHA

INVERCARGILL

# ANNEX 2

## THE REPORT OF THE COMMITTEE TO THE MINISTER OF SOCIAL WELFARE ON THE REVISION OF THE CHILDREN AND YOUNG PERSONS LEGISLATION

### NOTES - -

\*Note: The overwhelming preponderance of Maori youngsters appearing in the Children and Young Persons Court is captured in the comments of a Judge with whom the Committee met to the effect that in practice we are talking about a Maori Young Persons Court.

\*Note: HAPU denotes-descendancy from a common ancestor (restrictive).

\*Note: Kai tiaki refers to a person who knows and can speak for the child-somewhat like the religious concept of "Godfather".

At our discussion on 19 December you asked for comment from the Maori Perspective Advisory Committee on any legislative change it sees as necessary to the Children and Young Persons Act, arising out of various hui and other discussions. You advised that the draft of the revision of the Children and Young Persons Act would soon be passed to the Parliamentary Counsel and you thought it timely and appropriate for me to report to you on the Committee's thinking so that suggestions for change could be taken into account.

## PRINCIPLES

A central issue coming through most discussions is that of the shape and direction of the law as it is currently expressed in respect of the care, protection and control of young children. The overriding principle which governs how children are treated and cared for, is contained in Section 4 of the present Children and Young Persons Act-'Interests of the child or young person paramount'. As you know, this states that anyone exercising powers in respect of any child or young person under the Act shall treat the interests of the child or young person as the first and paramount consideration. Although this is qualified by considerations such as the 'public interest' and the promotion of satisfactory relationships with others, there is some concern that the centrality accorded the child is not in keeping with Maori tradition.\* Under this tradition the importance attached to the child's interests is subsumed under the importance attached to the responsibility of the tribal group through the tribal traditions and lore of inherited circumstances. The tribal group (HAPU) is bound to provide for the physical, social and spiritual well-being of the child and its upbringing as a member

of the particular hapu.\* This responsibility would take precedence over the views of the birth parents.

This is a different kind of belonging from that concept of ownership (e.g. the child being seen as a 'chattel' of his/her parents which Section 4 attempts to overcome). Therefore the Committee believes a form of wording could be found by the draftsman which would acknowledge that in the case of a child or young person who is Maori, the child's interests could only be determined after having regard to due consideration of the views and concerns of the child's hapu.

Notwithstanding the most relevant principles set out in the Children and Young Persons Act (1983 Amendment), relating to family groups, these do not go far enough in the case of a Maori child or young person. For example, cases were cited at hui which caused much anguish amongst Maoridom. The issue can be illustrated by the following example drawn from the hui at Te Puea Marae, South Auckland.

A Maori couple, mother from Taranaki, father from South Auckland separated. The Court and Department of Social Welfare social workers were involved in deciding the placement of the couple's infant son who was the subject of applications for his guardianship and custody from:

- (a) Dunedin based foster parents who had been given temporary care of the child by parents, and who were supported in their application by the child's mother who was distantly related to them.
- (b) The father's sister, residing in South Auckland, supported by the child's father, her South Auckland based Whanau plus the Maatua Whangai mokai for their area.

The Judge ruled in favour of the child's paternal aunt. He stated that he was influenced by the legislative provision in the Children and Young Persons Act providing for the desirability of a child going into a family group or Whanau situation.

This decision was later overturned in the Court of Appeal, the foster parents retaining the child.

Whatever the merits of that particular case there can be no doubt that the "Family" was torn by the events. It seems to the Committee that it would be appropriate and timely for the law to prescribe that placements of a Maori child should be made with foster parents being members of the child's extended family having regard to the views and concerns of the child's hapu. Further, that the Court, social workers, or any other person dealing with a child and its interests, should be enjoined to make inquiries as to the child's heritage and family links. Such an approach should also apply to adoption, by way of an amendment to the Adoption Act 1955.

## PROCESS

A further issue concerns the process of dealing with Maori youngsters in the current Court System which is regarded by them with suspicion and fear, if not with derision and contempt. Some Committee members have attended sessions of District and Family Courts and have observed a degree of tension and bewilderment amongst Maori youngsters and their kinfolk. For them the system can appear alien which can only exacerbate the sense of alienation many of them already feel. Many examples have been quoted to the Committee.

In a Court system capable of acknowledging the cultural needs of the child, it would seem to us to be an inherent tenet of justice that a youngster before the Court is enabled to know what the procedures are about. Further,

that not only should he or she be ably represented but a “kai tiaki”<sup>\*</sup> ought as well to be able to be heard and to speak on the child’s behalf or indeed on the parents’ behalf should they themselves be under complaint.

We believe, too, and have found the Judges with whom we have discussed the issue sympathetic to our belief, that after determination of the case people who know the young person and community and family members (members of the hapu) should be called from a panel of such people to assist the Court to arrive at an appropriate disposition.

We contend that the current Court system is capable of being modified to achieve such goals. Further, we believe that the establishment of new Courts and special Judges would be unnecessary, as well as unduly costly. We were reinforced in this view by the opinions of Judges with whom we consulted. We consider that Judges from the Family Court, Children’s Court or District Court ought to be selected for their particular expertise and skill. Further, the Committee considers that judges ought to have demonstrated understanding of Maori cultural and tribal values, whether the case be one of care, protection or control. “The right Judge for the right case” would seem to the Committee to be a better axiom than Judges specifically assigned to particular Courts according to a division of the “Court” by class of case. Nevertheless, we do believe that Judges would be aided by appropriate training opportunities and that the law should identify the kinds of skills and experience required.

## **PREVENTIVE INITIATIVE**

It has been expressed to the Committee in one way or another that resources ought to be transferred from the Department to Maori people to enable them to care for their own. Some of these views have been expressed by what could be termed those at the very extreme fringes of the debate. We did, however, receive a submission from the Maori Economic Development Commission which seems to get to the nub of the issue and that is the perceived unfairness at the allocation of resources between Maori and non-Maori.

The thrust of the Commission’s argument is that there would need to be a short term increase in costs for proposals to accelerate Maori development to obtain long term savings to the State through reduction in unemployment benefit expenditure, the cost of administering prisons and the cost of administering residential programmes through the Department of Social Welfare.

The motivating goal would redirect resources from proposals that contain negative Maori outcomes towards proposals for positive Maori development.

The Committee is in substantial agreement with the thrust of these comments. While the Committee will deal with these arguments in some detail in its report, the Committee feels that those officials drafting the revised Children and Young Persons legislation ought to ensure that the law is capable of authority and appropriation for not only community agencies, even Government Departments such as Maori Affairs. Such funds would, of course, need to be earmarked for positive Maori development. In such a way (and by way of example), funds from money spent on maintaining residential programmes in the Department of Social Welfare could be applied to Maori needs on the Department’s terms and conditions for accountability but which would be more directly and appropriately managed by the Maori people themselves in meeting those needs.

The Committee also believes that the law ought to provide for the Department to be obligated to consult at the regional tribal levels on consideration of regional policies that focus on Maori people.

# **APPENDIX TO PUAO-TE-ATA-TU**

(day break)





# APPENDIX I

## HISTORICAL PERSPECTIVE

### THE ROOTS OF DEPENDENCY

In the Maori perspective of our history since 1840 the dominating theme is the interaction of our two cultures. In the early stages of that relationship Maori society transformed itself with enthusiasm. It exploded with innovation and change. In some areas the adaptation of Pakeha technology to Maori communal enterprise was so successful that Pakeha migrants could scarcely compete.

At this stage Maori tribes controlled their own transformation, managed their own economy and set about the development of their own institutions. There were all sorts of negative effects but we don't complain about them. They were things we did to ourselves in a world we controlled. They were part of the toll which any change exacts.

The development of Pakeha institutions, in the 1850s especially, those of "Responsible" Government, transformed our own transformation. The Maori experience, since those institutions became dominant, has been one of recurring cycles of conflict and tension against a backdrop of ongoing deprivation. This has drained the Maori spiritually and physically. It finds expression today in our atrocious levels of social dependency.

At the heart of our experience of Pakeha institutions has been the alienation of our lands. It was the primary, driving motive for the development of "Responsible" Government in Aotearoa, it was the *take* that brought us into armed conflict with the Pakeha and remains a primary source of tension between us today. It is the issue that betrayed that first great transformation. It is the *taproot* of our modern dependency.

That dependency has other roots as well. Pakeha institutions blend a number of elements in the Pakeha ethos which have combined to serve Pakeha culture well but which, although sometimes well meaning, have been destructive of the cultural fabric of the Maori.

As the deprivation of the Maori became unacceptably obvious, solutions were sought in the "modernisation" of a backward people in need of "development". Policies aimed at redefining land ownership, converting a communal culture to an individualistic one, fostering new forms of leadership and educating Maori children out of their essential Maoriness were rooted in the concept of "assimilation". The underlying idea of assimilation was that Pakeha culture and ways were "modern" and "forward-looking" and therefore superior as compared with "traditional" Maori ways which were no longer "relevant".

Modern Maori commentators have argued that the aim of these assimilation policies was to "domesticate" Maori people and Maori culture.

It is a view that is difficult to argue with. It is certainly clear that virtually all policies concerning Maori welfare and development have been founded on Pakeha cultural prescriptions of what was best for the Maori. It is equally clear that virtually all Maori attempts to direct and shape the Maori future in ways reflecting Maori values and institutions were resisted either militarily, legislatively or by ignoring them.

The example of that first transformation in which an autonomous Maori culture reshaped itself with the new technology had been too successful, too threatening, to the dominance of the Settler culture to be allowed to happen again.

## “BEASTLY COMMUNISM”

Those early Pakeha power-brokers understood very clearly what they were doing. It was summed up by the distinguished 19th century politician, Sir Francis Dillon-Bell, when he said, “The first plank of public policy must be to stamp out the beastly communism of the Maori!”

Since the 1850’s when Maori and Pakeha first began to shape up to each other in cultural terms right down to the present tribalism has been the focus of Pakeha hostility. It was early identified as the primary source of Maori social strength, the thing which stiffened resistance to settler ambition.

In later times it was seen as an obstacle to development policies and it has continued to be viewed as a barrier to the kind of Maori “unity” seen as desirable by planners and policy-makers. Yet, when our tribal communities want to co-operate they have never seemed to find it difficult to do so. When the need for unity derives from within Maoridom and is not some need prescribed by the dominant culture we seem, historically and in the present, to find little difficulty in dealing with each other. It may be that “Maori tribal factionalism” is more a Pakeha myth nourished to meet the interests of the dominant culture.

In fact tribal identity and cohesion is the very thing which enables Maori people confidently to deal with each other. It provides a format in which Maori people can undertake their political relations enriched by their traditions and strengthened by their sense of tribal identity. When the tribal element is not present there is insecurity, tension and distrust and relations don’t happen.

It must also be remembered that every major Maori thrust in our history since 1840 has had a tribal basis for its success. In the cases where the thrust has collapsed it has been because the central element of tribal autonomy and tribal recognition has been ignored or subverted.

What then is this “beast” that Dillon-Bell railed against?

The traditional Maori system, based on decentralised tribal autonomy and the organic solidarity of kinship, consisted of four organisational levels, all linked to a greater or lesser degree by a common ancestor or event. Forming the largest sociopolitical unit, the waka consisted of a group of tribes whose ancestors reached New Zealand on the same canoe; no co-operative form of government, however, existed among them. Members of a tribe, or *iwi*, on the other hand, were linked by descent from a common ancestor who was on one of the canoes and whose name they took. Tribal feeling was

strong and each tribe formed an independent, self-sufficient and self-governing set of groups under the leadership of the ariki. The tribes were divided into a smaller organisation, the hapu. Since members of the hapu could trace their heritage to an ancestor several generations back, it comprised an even closer kin group than the iwi. The hapu took the name of their common ancestor and built their society around their respect for their ancestors. Although they readily joined other hapu in times of war or ceremonial occasions, each hapu was responsible for its own government; autonomy was fundamental. The hapu were led by rangatira, the hereditary chieftains and leaders, who were expected to act wisely and with dignity. The basic social unit of Maori society, however, was the extended family or whanau. This consisted of up to about thirty people, under the direction or guidance of the kaumatua, the respected elder of the family. Children, grandchildren and great-grandchildren with their spouses made up the whanau, which was responsible for making the basic day to day decisions.

In all matters of concern to the tribe or hapu, there was discussion among the heads of each unit-that is, the kaumatua represented each whanau, and rangatira represented each hapu-before a decision was made. In this way all members of the society were able to contribute through their representative to the organisation of their lifestyle. Most decisions, however, were local decisions made by the whanau on the basis of kinship.

It must be remembered, though, that this social system was not set in cement! From our furthest histories our tribes have mixed and divided and migrated and formed fresh relationships. The division and blending of our tribes are what Maori tradition is all about. These are processes however which can only be controlled from within Maoridom, responding to Maori needs on a Maori timetable. They are not processes which can be undertaken because the dominant culture believes it might be good for us. On the contrary, the only appropriately Maori way in which they can be approached is from the security of tribal identity.

## **TEARING THE NET**

In destructive contrast to the local autonomy and kinship solidarity of traditional Maori politics, the process of modernisation in New Zealand, as elsewhere in the world, followed a general pattern that centralised the state and differentiated institutions.

This means that the central state's chosen administrators supplant traditional leaders; the state's agents impose new structure; legal-judicial processes replace the traditional tribal law; and most significantly, permanent government forces enforce the new rules.

For tribal peoples, however, the process directly involves them with a greater number and variety of government agents: the various department administrators, the law enforcers, the judicial agents, the postal service, educational agents and, of course, the social and welfare services. Weaving a fine bureaucratic net about traditional society, they impose new regulations, restrictions and obligations upon the people. The do's, don'ts and musts of the central state are thus enforced by an array of strangers who, in their ignorance and arrogance, compromise traditional law and local custom.

The Pakeha government, with its central decision-making, and the various ministries and government departments as the specialised institutional arms, forged a modern state that universally enforced a novel system of law. This new system conflicted with the traditional Maori legal system by ignoring the social framework of land-ownership and developing a maze of bewildering legal processes that all Maoris had to confront to secure any standing in the new state.

For the Maori, political modernisation resulted in a systematic and unrelenting assault on their traditional society.

The assault can also be clearly seen in the conflict between Maori economy and Pakeha economy and the difference in the symbolic value of land in each system. Underlining the Maori-Pakeha economic contrast was the universal contradiction of our traditional collective-obligation economy versus modern capitalist-market economy.

As we have seen, though, it was a contradiction we coped pretty well with—when we were in control of ourselves. And we have continued to do so in those areas where we have managed to regain some measure of control.

Our tribal trusts, incorporations and Trust Boards have managed—despite controlling legislation—to reassert many of our traditional economic values at the same time as they function actively in the modern capitalist world.

They're really just repeating the example of our tupuna, the ones who engineered that first great Maori transformation prior to the 1860's.

The more important lesson we have learned, however, is that there are levels of personal and community interaction where we can fruitfully continue to practise our traditional collective/obligation economy. We do so in our marae, within our whanau and within our hapu.

Despite the fact that there is nothing in the social institutions which have grown around us which is supportive of our traditional economic and social systems, they have survived and continue to sustain many of us.

## **THE GREY DAWN**

The standard Pakeha view of our history places much stress on Ngata and Carroll as the heralds of a new Maori dawn but from where we now stand we can see them as fighting what was essentially a rear guard action—action to preserve Maoriland and culture and insist upon equality. In their world the Maori population was still rural and the central question was still land.

Land was the cornerstone of society upon which the Maori political, economic, and social system depended. Thus, Maori tribal society was alienated by the mere fact of giving titles through the Native Land Court system. When Pakeha acquired Maori land through the combination of a modern system of profit oriented economics and centralised politics, Maoris were devastated. In one sweep, they were stripped of autonomous government, their legal basis of communal solidarity, their social and their spiritual being. As Eric Schwimmer has commented, “It was the fragmentation of the land that finally destroyed traditional Maori social structure, for the chiefs mana now no longer ran over the whole of his territories, individuals henceforth stood on their own, even though a sentimental tribal cohesion continued.

At the close of the nineteenth century, modernisation and internal colonialism continued to cause Maori misery, suffering and deprivation. The Maori, in Pakeha eyes, were a dispirited and broken people whose decline in numbers demonstrated that they were a dying race.

Between 1895 and the late 1940's, government for Maoris, vacillated between assimilation and attempts to retain a measure of independence.

On the one hand, government policy tried to assimilate Maoris fully into the benefits of Pakeha education, health and culture. On the other hand, it incorporated Maoris into Pakeha economic, legal and political life, regulating their participation and emphasising that Maori incorporation was on Pakeha terms. To the New Zealand government, the terms resonated humane justice. But the Native Land Courts, the unemployment inequities and the land policies that opened the way for alienation suggest more an insidious paternalism. No matter how one chooses to interpret government action, and to an extent justice and exploitation are both accurate, Maori participation in Pakeha economic, legal and political life was regulated.

Apirana Ngata, James Carroll and the Young Maori Party co-operated with Pakeha. They were conciliatory towards them and adopted many of their ways because they believed some adaptation was necessary for Maori physical survival as a race. In political and economic spheres, the goal was assimilation. Thus, they adapted their politics to Pakeha politics and accepted conditions that were imposed upon them as the price for becoming a part of the Pakeha system. For example, Ngata, though always working for the economic progress of Maoris, was willing to co-operate with Pakehas and accept their conditions-recognising that the Pakeha conditions were pre-requisites for Pakeha concessions.

From 1895 through the 1930s, the broad parameters of structural strain and relative deprivation were very much at work. Maoris were being deprived by modernisation and internal colonialism. Land continued to be alienated. It seemed, moreover, that their options were limited. If Maoris tried to farm commercially, lack of technical skills, marketing expertise and legal advice were crippling. The issue of clear land title which underlay credit and capital availability in the Pakeha financial system was a crucial one. Combined with an overall lack of government support these things prevented Maori from successfully competing with Pakeha. At the same time, Maori were increasingly integrated into a cash economy. Where they could previously barter for food, clothing or luxury items, they were now forced to pay cash. In contrast to this situation was that of the Maori, where the traditional base was maintained. But even they needed cash for health services, for land rates, to pay for district schools, perhaps for a land survey and, of course, for the dog tax. This, too, forced them into the Pakeha economy.

The government approach to the Maori in the 20th century was one of increasing institutionalisation. The decade of the 1900's saw Maori Councils and Maori Land Councils (later Maori Land Boards) established (1900) and a decision taken not to abolish the Native Land Court or Maori Parliamentary representation. The Department of Native Affairs was also established in 1906.

A further series of institutions were created in the 1920's. Thus were the Native Trustee (1920), the Maori Purposes Fund Board (1924) and several tribal Trust Boards.

These were all Pakeha created institutions designed to reduce Maori deprivation and mediate Maori demands. These institutionalised channels

provided an accommodation of sorts and enticed Maoris to become incorporated into the Pakeha system.

The gradual improvement in Maori legal status lent an aura of legitimacy to Pakeha government and its Maori institutions. However, the legitimacy was more convincing to the Pakeha than to the Maori.

Between 1895 and the late 1930's, the government's Maori policy was a curious blend of assimilation, paternalism, integration and exploitation. Most legislation included institutionalised improvements for Maori-the legitimising and institutionalising aspects. But the legislation also contained special restrictions that reinforced the Maori's unequal status.

It was during the period from the 1890's to the 1930's that the structural strain on Maori society and the levels of deprivation revealed themselves at their worst. At the end of the period the Maori population reached its lowest levels since Pakeha contact and possibly the lowest levels in 500 years. Modernisation and internal colonialism had wrought their effects.

Land continued to be alienated and attempts to farm commercially' were frustrated by lack of technological skill, marketing expertise and capital. The Pakeha financial system with its notions of farming credit based on clear land title struck at the very heart of Maori communal land ownership. Combined with the lack of Government support for Maori development these prevented any successful competition within the Pakeha controlled economy.

Previously Maori had enjoyed an economy largely based on barter. Now they were compressed into the cash economy and they had little of it. Food, clothing, health charges, the cost of schools, rates and, of course, the Dog Tax, all needed cash.

It is important to note that this dependency had not always existed. In the 1820's there had been a dramatic turn to a market economy. Huge areas had been turned to cultivation for trade in the Bay of Islands and important trade in food had developed as far south as Foveaux Strait. In the 1840's the Wanganui Kiver had thriving cultivations and flour mills. In 1846 a fair acreage of wheat was grown in the Manawatu, and in 1847 two flour mills were built in Taranaki and paid for in pigs. At Rangiaowhia a mill costing £200 was erected in 1847 and the money subscribed by the local Waikato people was put up in £1 shares. The system was Maori but the crops and the agricultural methods were Pakeha. The expansion demanded new implements and created new needs. Before long the local Pakeha markets were supplied and the Maori producers were trading farther afield.

The coastal tribes took to the shipping business. In 1844 the Opotiki people owned two small vessels and the Whakatane people another. In the same period the southern chief Tuhawaiki began trading his produce in his own ships to New South Wales. By the 1850's Maori tribes owned and operated most of the coastal shipping in the North Island. By 1858 there were 53 Maori vessels of more than 14 tons registered in Auckland alone. They supplied the local market with almost all its produce and maintained a considerable export trade to Australia and the Pacific. The cargoes they carried were Maori grown.

In 1857 the Bay of Plenty, Taupo and Rotorua tribes numbering about 8000 people had several thousand acres in wheat, potatoes, maize and kumara. They owned nearly 1000 horses, 200 head of cattle, 5000 pigs, 4 water-powered mills and 96 ploughs. On top of this they owned 43 coastal vessels of around 20 tons each and more than 900 canoes. The scale of

Maori trading can be gauged from the example of one tribe Ngati Porou of the East Coast. In 1857 Pakeha traders paid them £13,000 for 46,000 bushels of wheat.

In a single year 1,792 canoes entered Auckland harbour laden with produce, firewood and kauri gum. The tribes around Auckland supplied the town with nearly all its requirements of fruit, pumpkins, maize, potatoes, kumara and pigs, as well as most of the fish for the town.

This Maori enterprise was so successful that it could, ultimately, only be defeated by war, defeat and the imposition of Pakeha institutional structures. Those Land Wars are seen by Maori as a conscious attempt to exclude the Maori from the emerging Pakeha economy. "Rebellion" was merely the pretext.

An important attempt to institutionalise Maoris and lend an aura of legitimacy to Pakeha government came in 1867 when Maoris were allotted four parliamentary seats. This definitely improved Maori political status, but it neither altered the fact that four seats vastly under-represented Maoris nor masked the expectation that Maori MPs would be subservient to the ruling party.

In 1895, the Urewera District Native Reserve Act was passed, closely followed by the Maori Lands Administration Act and the Maori Councils Act of 1900. This legislation attempted to improve Maori political status and reduce alienation of their land. It granted Maoris some local autonomy and some legal power over their land. As in all other Maori legislation, however, special conditions restricted the gains. In the case of these bills, the Native Land Court still maintained overall jurisdiction and Maori local government received no economic support. Moreover, Maori local government, unlike Pakeha local government, which had considerable autonomy along with full representation in national government, was tightly regulated by the Native Minister. Thus, while the Acts appeared to grant Maoris the political autonomy Pakeha communities already had, it actually doomed Maori self-government by failing to grant the Maori Councils any real power.

# THE TREATY

The Treaty of Waitangi is very much to the forefront of current Maori thinking.

The signing of the Treaty of Waitangi had created a document which was to be held by Maori movements for many generations as setting the basis for relationships between the two races. It is clear that the exact status, meaning and consequences of the document were not clear to those signing the Treaty. While achieving for the Europeans the justification for claiming sovereignty over New Zealand, the clauses apparently protecting the interests of the Maoris carried little weight in the designing of legislation and procedures regarding Maori land and political participation.

The Treaty contained three main activities and conditions, which were to have set the relationship between the Maori and the Government of the new settlers:

## *Article the First*

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual chiefs respectfully exercise or possess, or may be supposed to exercise or to possess over their respective territories as the sole sovereigns thereof.

## *Article the Second*

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession, but the chiefs of the United Tribes and the individual chiefs yield to Her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them on that behalf.

## *Article the Third*

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand her Royal Protection and imparts to them all the Rights and Privileges of British subjects.

Other legislation that helped institutionalise Maoris and legitimise Pakeha government involved support for Maori land development. In this context, a longstanding Maori grievance, as Ngata said, that “many schemes had been put into operation whereby the state places its financial resources at the disposal of European farmers, who were also served by financial institutions, but Maori landowners received no such assistance.” Though



leading to considerable alienation of Maori land (a Pakeha condition for passing the Maori Councils' Act 1900) this kind of legislation allowed Maoris to incorporate or consolidate their land. Essentially, it enabled Maoris to own land and, during this period Native Trust Boards, Native Land Purchase Boards, various Royal Commissions for investigating compensation claims, Maori Land Boards and the Maori Purposes Fund were established. Through these structural channels and the already established Ministry of Native Affairs, Maoris were slowly institutionalised into Pakeha government.

Ngata and Carroll strove to resist the bureaucratic and cultural domination implicit in these processes.

Pakeha government further legitimised itself by active attempts in the 1920's to improve Maori economic status by the Native Trustee Act (1920), an amendment of the 1909 Native Land Act in 1926 to allow Maori Land Boards to lend money to Maori farmers, and a further amendment in 1929 permitting the Boards to develop Maori land.

When power was finally consolidated in the Ministry of Native Affairs, the Minister was empowered to use government funds to develop Maori lands. By 1931 the Native Affairs Department had become the ultimate corporate entity for regulating and controlling Maori affairs, From a Government standpoint the Maori was now fully institutionalised into Pakeha government.

But Maori people were still deprived. Right on through to the 1950's the deprivation continued, although the Maori standard of living was gradually improving. The Maori was trapped in a structure of internal colonialism—a process by which majority culture systems reinforce and maintain social and cultural deprivation.

The Ratana movement came into being against the failure of earlier political and government systems to cope with Maori needs; the movement was active from 1919.

The Ratana movement was willing to co-operate closely with the first Labour government on an overall basis, but there was no absorption and no willingness to have conditions imposed upon them. Thus, although the Ratana movement used the Labour Party as a vehicle, agreeing to certain organisational restrictions in return for support of Maori issues, they still needed certain changes and retained as the basis of their politics the protest symbol of the Treaty of Waitangi.

In essence the Ratana Party's goal was to reach an accommodation with Pakehas, but on Maori terms.

The Treaty gave sovereign rights over all the Territory occupied by Maoris, and alienation was only to be in cases where the owners gave approval. It appeared to give Maoris all the rights and privileges of British citizens, presumably total equality, in the social, cultural, economic and political spheres of the community.

The Treaty provisions, though used as a basis by the Government to obtain land from the Maoris, never provided the protection or rights for the Maori it so solemnly promised.

The importance of the Treaty as a driving force in contemporary Maori protest cannot be overemphasised. As our people have, in this generation, sought to find a philosophical base for relating to the Pakeha society, the Treaty has become both a symbol and a charter.

Although Ratana brought the Treaty out of the cupboard and used it as a powerful political symbol in the 1920's and 1930's it is only in our time

that it has come to be seen as a potentially relevant document for the Maori future. Although there is still much understandable cynicism amongst our people about the willingness of Pakeha culture to effectively confront the issues the Treaty raises, it must be granted that giant steps have recently been made.

The Treaty of Waitangi Tribunal Act 1975 and the Waitangi Amendment Act 1985 have given Maori people-for the first time in our history-a proper constitutional base for the redress of grievance over land and other matters. We now have a forum in which we can stand as of right and have our people's case heard.

Historians might well see the 1985 Act as the most significant single action of the New Zealand Parliament. It may not do much directly for the social and economic deprivation of our people but it could well do much for Maori feelings about living in Aotearoa. The increased attention to the third article of the Treaty which provides Maoris with "all the rights and privileges of British subjects" may yet prove an important factor in the struggle for a more culturally and economically equitable society.

## WAR AND THE TRIBES

The two World Wars have both severely disoriented Pakeha culture. To a limited degree during World War I, and to a very marked extent, World War II, the usual rules by which New Zealand has been managed have been suspended. One important effect has been that the consistent political and administrative pressure against tribe and traditional relationships has been relaxed. This did not happen because of any change of heart. It happened so that the strengths of tribalism could be released to serve the war effort.

In both World Wars Maori were formally subject to conscription. In World War I conscription was only applied against the Waikato tribes and in World War II there was no attempt to apply conscription against any Maori tribe.

In both Wars the Maori M.P.'s were allowed to actively recruit in their electorates for special Maori contingents based on tribal divisions.

They fought with distinction for the system which had deprived them. Overnight the Maori became an asset in the Pakeha mind rather than just an impediment to development.

After World War I the Maori contribution was forgotten pretty quickly in the post-war recession, but it had provided an important lesson and, however briefly, it had shown that the traditional strengths of tribal organisation and leadership were still able to be warmed into life.

When World War II broke out in 1939, it was to create social and political changes which were to have a lasting effect on Maori society. The involvement of Maoris in all phases of the war, both military and civilian was to lead to a greater involvement by Maoris in the larger society than had ever been possible in the past.

Sir Apirana Ngata seized the opportunity early in the conflict to propose the formation of a Maori military unit based on the tribal precedent of the World War I Pioneer Battalion. His view was that Maori commitment to the war effort would place Pakeha culture under an obligation to grant a greater measure of justice in the post war world, particularly in the matter of longstanding tribal land claims and the general strengthening of tribal institutions.

The first years of the Second World War were years of great change for the Maori population. For the first time, Maoris were called upon to play a major role in the armed forces, in industry and in the primary sector. One important long-term change for Maori society was the dramatic shift from a rural to an urban situation. In 1936, 11.1 percent of the Maori population—a total of 9,172—lived in urban areas. By 1945, the shift to urban areas accounted for 17.4 percent of the Maori population, making an urban Maori population of 17,000.

The move to urban areas in the 1930s and 1940s was not an organised exodus, planned and directed by Government or other agencies. There was a desperate shortage of manpower in most occupations, particularly in the urban industrial centres. It soon became evident that there was a need for direction and co-ordination of the urban Maori migration. The housing factor alone caused considerable strain, and when employment became readily available for women, whole family groups moved from rural areas to take up employment. Suitable and reasonable living quarters were difficult to come by, and the Native Department, National Service Department and Social Welfare organisations were soon immersed in the difficult and onerous task of improving the conditions for newly arrived Maoris. Problems arose

over such matters as regularity of job attendance, absenteeism, and similar matters, which gave rise to some antagonism from employers. Control over Maori workers contrasted sharply with the control applied to non-Maori workers under the National Service Regulations, when all adults were by the National Emergency Act registered for National Service. Additionally, many Maoris had difficulty in accepting the constraints placed on them by industrial and urban life, and used aliases to go from job to job.

To organise Maori resources during the war the Hon P K Paikea moved to establish the largest and most unified network of Maori organisations ever set up. Paikea recommended that:

- (1) A committee of Maori members of both Houses be established.
- (2) An officer of high rank be appointed as Chief Administrator or Liaison Officer.
- (3) Recruiting officers be appointed from each Maori electorate.
- (4) Tribal Committees in each general electoral district be set up.

The appointment of tribal committees in each Maori electoral district was crucial to success. It was also agreed that uniformity in dealing with individual districts was not practicable, as attitudes and customs differed from tribe to tribe and district to district.

Lieutenant Colonel H C Hemphill was appointed to head the Maori War Effort Organisation. On July 11, 1942, a full report on the Maori war effort was put forward by Lieutenant Colonel Hemphill to the Hon I' K Paikea, Chairman, Maori War Effort Committee.

Hemphill's report expressed a sentiment which had been actively opposed by earlier governments and political leaders but which now, in this time of urgency, was acceptable. "In order to foster and restore to the Maori people the ancient characteristic of tribal leadership now so vitally essential to the successful prosecution of the Maori war effort, I respectfully urge that representations be made to the appropriate quarter to give immediate recognition to the principle of tribal leadership (consistent with military efficiency) throughout the fighting service."

The call for immediate recognition of the principle of a united Maori effort based on representative tribal leadership, recognised and put on an official basis something which Maori leaders had been trying to rebuild; the Young Maori Party, among others, had endeavoured "to provide an effective impulse towards the revival of Maori life".

The responsibility and power of the War Effort movement in Maori society was continually being extended. Maoris were having their first opportunity of setting up and managing the largest Maori movement ever created. The organisation, totally Maori, covered the whole of New Zealand and brought all tribes into the movement. A major extension of the organisation's activities occurred when the Government agreed that the responsibility for the registration and control of Maori manpower and womanpower should be placed in the hands of the Tribal Committees constituted under the Maori War Effort Organisation.

The growth of tribal committees meant that one district might be covered by more than one committee. As a further step towards efficient organisation and to ensure further co-ordination in the carrying out of the policy in connection with the Maori war effort, recruiting officers were requested to arrange for the setting up of Tribal Executive Committees within their zones. These committees were to consist of not more than two delegates from each tribal committee.

As the Maori war effort was concerned with almost all aspects of Maori society, the Executive Committees had authority of a form unprecedented for Maoris. Hemphill recognised this factor in reporting to the Minister in charge of the Maori war effort, P K Paikea, when he said, "You will appreciate that never before has so much direct responsibility been given to the Maori people". The wide provisions of their functions also required the committees to consider factors such as education, welfare, housing, training, land use and development, the grievances of the various tribes and many other issues of concern to Maori society.

The significance of the establishment of the 356 tribal and executive committees was stressed by Paikea when he reported to the Minister of Defence that "it is a revolutionary experience for the Maori people to be given some form of control".

The enthusiasm with which the Maoris accepted the War Effort Organisation was reflected in the numbers recruited and in the increases in production from farms in the various districts.

The policy of continuation of the Maori War Effort Organisation was officially put forward by Paikea in a report to the War Cabinet through the Minister of Defence.

The report considered that the present-day problems arising out of the war, had to be met, and the Maori War Effort Organisation was proving a definite factor in promoting harmony between all sections of the community. In an historical vein, Paikea observed that eighty years before, Sir George Grey, the Governor of New Zealand had recommended to the Government of the day that the Maoris could best be administered and controlled through their tribal leaders. His advice had not been accepted. The report noted: "Today the recommendation has been accepted and recognised by the present Government as the only practicable solution of bringing the Maori people into line with their Pakeha brothers in the future social, economic and industrial life of New Zealand, in which they inevitably must play their part".

Paikea saw the War Effort Organisation as the means of creating and obtaining a national voice for the Maori people. The thoughts of the Maori politicians were turning to the future and the role a New Zealand wide organisation could play in assisting the Maori people. It was recognised by them that the land could take less than 30 percent of the Maori population and that there was the need to prepare the present and future generations to take their part in the future economic, industrial and social life of the community.

Unfortunately, Paikea's tragically early death and the defeat of Ngata in the 1943 General Election deprived the Maori people of their two most effective spokesmen. Peace brought the return of old attitudes. The Maori MPs had to fight tooth and nail to extract the fulfilment of the wartime promises about settlement of Land Claims. When they came the 1946 settlements were niggardly in the extreme, and resentment smoulders on to the present day.

Worse still, was the return to the old paternalism and the doctrine that the Pakeha knew best for the Maori. Paikea's battle centred on an attempt to convert the Maori War Effort Organisation into a "Ministry of Maori Welfare" which would rely heavily on the established network of Tribal Committees and Executives. A bill was prepared—"The Maori Social and Economic Reconstruction Bill" but it was taken over by H G R Mason, the

Minister of Maori Affairs, who presented it in the House as the Maori Social and Economic Advancement. It was passed into law with its central Maori aspirations removed. The local Tribal Committees had lost all their autonomy and responsibility which they had so enthusiastically fulfilled in wartime. They were now only a shadow of what they had been. The Maori world had been returned firmly to the control of the Maori Affairs Department. Disappointment was deep and widespread. The triumphant demonstration of effective Maori self-management had been betrayed. As Tirikatene said in the House, "The Maori world is moving away from the Department as quickly as it is possible for them, the Maori people, to do so!"

Since the 1950's that Maori world has exploded numerically and geographically. It is now an urban world with different aspirations and different needs. The rural heartlands have changed too. The old marae which official policy assumed would be doomed by urbanisation stand brighter and better kept than ever. Maori numbers have brought confidence and a renewed thirst for the springs of our taha Maori. There is an enormous vigour and life but there is also enormous stress-and even more widespread deprivation. Our numbers have outstripped our rate of achievement. Social and educational failure are endemic, our health figures are awful.

The years since the 1950's have seen a continuation of institutionalised decisions for the Maori people. The Department of Maori Affairs has been the central point of policy development, not the iwi. Decisions are still centralised although some effort has been made to develop consultation. Consultation, though, is not a substitute for autonomy and tribal responsibility.

Key government decisions in education, juvenile offending and social welfare have been made and are being made with little reference to Maori people.

The Maori Council lacks authority and has little popular support and its Maori Committee's function is effective in only a few areas. It is really just another inappropriate structure persisting in the face of Maori experience. Those structures are confronted with a Maori world which is the major casualty of the New Zealand economic decline-and they are powerless.

They are powerless because they ignore the one real fact in the few historical examples of Maori success-that the base of the Maori world is tribal. The point of reference into that world is tribal, and the only leaps we have made have been those centred on our iwi, our hapu and our whanau.

Today we are faced with a burgeoning support for tribal authorities and they are changing themselves to meet a wider range of responsibilities among our people. They are asserting their autonomy with increasing vigour. A respect for that enduring demand that Maoris should control Maoridom and make the decisions for themselves must be an essential ingredient of any conclusions we come to about future directions in Social Welfare.

This report embraces both the past and the present so that we can sharpen our vision of the future.

## APPENDIX II

### LEGAL PERSPECTIVE

It follows that a current failure to deliver Government services with sensitivity to Maori needs is not just the result of cultural ignorance, or omission or neglect by present State advisers. It results also from a century of antipathy and long adherence to a policy of assimilation.

We think it important to appreciate the impact of the past. In the first instance, broad allegations of racism are unhelpful if they lay blame for history on current office bearers. In the second, the historical perspective emphasises the quantity of inherited laws, policies and practices, requiring substantial modification before Maori needs can be adequately catered for. This is particularly pertinent when the law requires a service through a Department of State bound to deliver within the parameters of settled law and practice.

It is no easy matter to wipe the slate clean and begin again. Even the most culturally aware officers of State will be unable to effect desirable changes if there are no commensurate changes to overriding laws. Those not so culturally aware are easily persuaded to assume that the existing regime of laws, practices and policies is right, if only because it exists. Racism ought not to be personalised if it is endemic in a system in which people work.

This part of our paper considers some laws inimical to Maori interests that condition and constrain the bureaucratic response. Departmental policies operating independently of legal requirements will be separately considered later.

To begin with we must go back in time again. Early imperial laws of the British Government were directed to protecting Maori customs, preferences and way of life. Initially, colonial policy sought to achieve protection through the maintenance of tribal lands in tribal districts. The policy, as contained in letters of instruction to colonial governors, was that only excess tribal lands were to be bought for settlement. It was seen necessary that the tribes retain a sufficient endowment for their future needs. The policy was advanced in the New Zealand Constitution Act, 1852, enacted in Great Britain to introduce self-government to New Zealand. It provided for the maintenance of tribal districts in which Maori customary laws and practices would prevail. (It must be added that the imperial policy did not prescribe separate 'Homelands' or 'Reservations' for the tribes. The policy was also that Maori people would enjoy the same rights and privileges as British subjects, without restriction on the right to move freely throughout the country.)

The reality was that the imperial policies were not applied at the frontier. Land was acquired so as to leave tribes without a sufficient endowment, and in some cases to render them totally landless. It followed, that save for a brief exception affecting the Tuhoe people, tribal districts in which tribal law would prevail, were not created either.

So it was that the maintenance of customary preference in law came to be regarded not as a constitutional right, but as something to be conceded to meet particular exigencies, and then done away with as soon as possible, to advance the assimilation of Maori people into Western society, and to have but one law for all people.

That policy is now so ingrained in national thinking that it is difficult for the administrator to conceive of any other, and administrative reaction is invariably to counteract pressure for change with allegations of separatism or privilege. Many cannot conceive that indigenous people have particular rights, or contemplate that the denial of a way of life to the original inhabitants; is itself divisive and destructive. The extent to which laws defeated the maintenance of a Maori way is not properly appreciated in our society. Such land as was left to the tribes was by law individualised in a manner totally alien to Maori concepts. It was done despite every tribal protestation and petition. It took away the authority of traditional leadership and placed it in the hands of European courts and lawyers. We think it was probably this, more than the failure to provide tribal districts, that caused the disintegration of tribal authority, kin group structures and eventually the traditional sense of community responsibility.

The social cost bears heavily on the Department of Social Welfare today. The historical perspective suggests the cure of the malady may lie in the identification of the cause-the breakdown of Maori society.

That leads us to the next point, it is not just the making of laws, but the omission to make them, that is important. We refer in particular to the failure to provide adequately for tribal authorities and community responsibility. Despite every endeavour to denigrate tribal controls, the vestiges of tribalism remained as the preferred vehicles for self-management. It was reflected in the development of adaptation movements, the Kingitanga, and the Ratana and Ringatu churches for example, but the tribal principle was not reflected in legislation until Maoridom found its first Cabinet Minister in Sir James Carroll.

From at least 1891, when he sat as a member of the Royal Commission on Native Land Laws, Sir James Carroll promoted the tribal principle for the administration of Maori land and affairs. But it was not until 1900 that Carroll was able to persuade his colleagues to accept the Native Lands Administration Act of that year. The Act provided for administration through tribal councils. But tribal control, not unexpectedly, resulted in a marked decrease in the sale of land for settlement, and to Carroll's dismay, his Government repealed the Act in 1905. Government voted instead liberal funding to the Land Purchase Board to expedite land acquisitions.

Carroll's political protege, Sir Apirana Ngata, took up where Carroll left off, but the political antagonism to tribal control was by then so strong that Ngata's land development proposals were implemented only through land boards. Land boards, constituted for each Maori Land Court District, were predominantly staffed by administrators, and covered areas too large to permit anything more than some token tribal representation upon them.

The prospect of tribal redevelopment did not emerge again until 1945 when the Maori Social and Economic Advancement Act provided again for tribal authorities. The emphasis on economic development was helpful, but this time tribal powers were carefully divorced from any responsibility for what was then the only-if illusory-economic base for Maoridom-the



land. Without the land, or adequate funding to permit the development of other economic enterprises, the emphasis of the tribal councils shifted to political and social concerns. There never was the facility for the councils to be involved in any comprehensive tribal development programme.

With the contemporaneous shift of Maori people to urban centres, sometimes well removed from the tribal base, tribal unity suffered too. Eventually, the Maori Social and Economic Advancement Act 1945, was replaced by the Maori Welfare Act 1962. The latter constituted the current New Zealand Maori Council. It also substituted district representation for tribalism, and while of course geographical districts occasionally coincide with tribal areas, the tribal principle was not the basic rationale for the council's structure.

In similar vein, while other bodies have strong tribal personalities and characteristics, they are not by their constitutions, tribal authorities. Some large Maori land trusts and incorporations support tribal programmes but owe their prime allegiance and legal responsibility to their individual shareholders, and then in accordance with the individual shares.

Maori trust boards are separate bodies, originally created by statute to administer compensation moneys on behalf of tribes. Since the mid-1940's, when most of them were established, many have widened their roles into the general area of tribal and community development and the representation of their iwi on land grievances.

More recently they have been increasingly recognised by the Crown as the appropriate nominating bodies for Maori membership on other bodies and agencies.

Still more recently a number of them have begun to evolve a role as distribution agencies of central government funds within the Maori, as distinct from tribal, communities in their respective regions. They have become the "bankers" and "trustees" for the proper and equitable distribution of these funds.

The merits of this most recent development are the capacity for effective Maori community representation and decision-making on the allocation of resources, matched with proper accounting and financial management through the offices of already established statutory bodies.

Within communities, which are increasingly cross-tribal and dispersed in regions other than their traditional ones, it is a pattern which maintains the important cultural principle of *manawhenua* and allows appropriate tribal relationships to flourish.

The most remarkable phenomenon of our times is the enormous resurgence of interest in the propagation of tribal structures along traditional lines, and the consequent restrengthening of kin ties and community responsibility. It has come, unexpectedly, at a time when Maori people have become scattered across the nation. It has come as a call home. It underlies the strongest call that we heard from Maori people as we moved across the country—a call for resources that the tribes might manage and care for in their own way. No more as supplicants seeking more lollipops from the State, but as a proud people seeking to manufacture their own quality.

The resurgence of tribalism has come despite every obstacle. It has come not because of the law but in spite of it. Tribalism lost its land base and an alternative economic base was not found, and yet the principle survives, for tribalism exists in the hearts and minds of people. It is an integral part of a Maori cultural renaissance. But as we look back on history, we realise that

the modern demand for the right of self-development along tribal lines is nothing new. It is half as old as time. It is our Polynesian heritage. The question is whether the law makers and administrators will be able to capitalise on the unbounded energy that exists as a way of improving both their performance and ours.

From that perspective and from the official denial of de facto survival of tribal structures as the preferred models for Maori development, we need to consider other laws inimical to Maori growth. These laws amount to one thing, the substitution of Maori concepts of group control for Western principles of individual rights and impartial treatment. As we have seen the denial of tribal ownership of land and the substitution of individual shareholding within land allotments provide the most striking examples of cultural replacement. Even today Maori land laws emphasise the rights of individual owners but give little consideration to the effect of individual actions on the group. In addition, Maori land holdings are not a resource for tribal development programmes, save perhaps those in extensive multiple ownership.

In the criminal arena it was never seriously considered there should be any other laws and procedure than that favoured in Western tradition. As we have seen, although the Imperial Government favoured districts in which the laws, customs and usages of Maori people would be observed, Maori districts were not created. Maori law observance depended on the maintenance of the mores of a communal society, but the authority of community sanction was supplanted by the remote institutions of Western Law Courts and Police forces. Imprisonment typified the Western response—the equation of individuals with animals distanced from their communities but later to be inflicted back on them.

It is not suggested that the old Maori ways should now be restored, but that ought not inhibit the search for a greater sense of family and community involvement and responsibility in the maintenance of law and order. At present there is little room for a community input into individual sentencing, no chance for an offender's family to express censure or support, no opportunity for a reconciliation between the wrongdoer and the aggrieved, no search for a community solution to a social problem. The right and responsibility of a community to care for its own is again taken away and shifted to the comparatively anonymous institutions of Western law.

All this is not removed from our terms of reference. The prevalence of Western opinion in influential areas of law, conditions the approach of administrators who service necessary institutions, and affirms the view that the Maori is to be treated as an individual and that the communal orientation of Maoridom is without value or relevance.

Not unexpectedly then, group rights are without recognition in other areas of law pertinent to Maori group identity and traditional structures, but more strictly, within the purview of the Department of Social Welfare. Those causing particular anguish relate to the placement of children, be it in adoption, following marriage breakdown, after death, following neglect or abuse or resulting from an appearance of a young person in Court.

The placement of children was once the means whereby kin group or whanau structures were strengthened. The child is not the child of the birth parents, but of the family, and the family was not a nuclear unit in space, but an integral part of a tribal whole, bound by reciprocal obligations to all whose future was prescribed by the past fact of common descent. Children

were best placed with those in the hapu or community best able to provide, usually older persons relieved from the exigencies of daily demands, but related in blood so that contact was not denied. Whakapapa (recited geneologies) were maintained to affirm birth lines, but placements were arranged to secure lasting bonds, commitments among relatives, the benefit of children for the childless, or those whose children had been weaned from the home, and relief for those under stress. Placements were not permanent. There is no property in children. Maori children know many homes, but still, one whanau. 'Adopted' children knew birth parents and adoptive parents alike and had recourse to many in times of need. But it follows too that the children had not so much rights, as duties to their elders and community. The community in turn had duties to train and control its children. It was a community responsibility. Discipline might be imposed on a child by a distant relative, and it was a strange parent who took umbrage.

Into this remarkably fluid arrangement, Western adoption laws were introduced. It was a totally alien concept, contrary to the laws of nature in Maori eyes, for it assumed that the reality of lineage could be expunged, and birth and parental rights irrevocably traded. At first Maori customary placements were recognised in law but then wrongly equated with adoptions.

From 1901 it was required that they be registered to have status. Registrations were effected because of advantages in securing benefit payments, allowances, housing opportunities and succession rights in Maori lands.

By 1909 Maori adoptions required the approval of the Maori Land Court. That did not seem too great an imposition in the circumstances. In a bow to customary preferences, proposed Maori adoptions were publicly notified by the Land Court, anyone of the community could object, and birth lineages remained matters of public record in the offices of the Court. At the same time however, Maori were unable to adopt European children, for the reason, as stated in the House, during the passage of the Act that they "are not living in a way we should consider proper for European children". That placed some restrictions on Maori people (for many had raised European children) not just for the children, but as a way of building lasting bonds and relationships with European families who had settled among them. But there was more concern that Europeans were adopting Maori children, obviously with parental consent, but not the consent of the community, and the effect of the European way to them, was to make a child of lineage, a child who belonged only at sea, to be rescued if possible. It did not create binding ties with the European family but affirmed the concept of remoteness and the separation of children from their communities.

For example, some parts of the Maori Affairs Act 1953 can now be seen as confirming the distancing of Maoris from their cultural norms by reinforcing the process of assimilation into Western legal forms and institutions. The language used in Section 79 of that Act, for instance, is significant "No marriage in accordance with Maori Custom . . . shall be regarded as a valid marriage for any purposes" and again Section 80 "No Maori shall hereafter be capable or be deemed at any time since the commencement of the Native Land Act 1909 to have been capable of adopting any child in accordance with Maori Custom".

By 1955 Maori parents could adopt European children and vice versa, but the adoption of Maori children by Maori was still within the jurisdiction

of the Maori Land Court. In 1962 all adoptions passed to the General Courts. Legal assimilation was finally perfected.

Once again, decision-making and responsibility for the placement of children has been taken from close-knit Maori communities and the authority placed exclusively in courts and state agencies. The superiority of the Western preference for individual rights and duties is officially affirmed, and the Maori promotion of communal responsibilities is diminished, not least among social workers who are constrained to supply their services within the authority of the law and with due regard to the attitudes of judicial officers. We see then a need for substantial law reform to accompany any new strategies to improve policy, planning and service delivery to Maori people within the Department of Social Welfare.

We see no reason why Maori adoption models cannot be provided for in law, as an option for any Maori who may choose them-or any Europeans for that matter, outside of the general courts. Additionally, we think whanau members should have right to be heard in objection on the adopting out of Maori children.

We have been given to understand that the wider whanau of Maoridom has not even the right to be heard on cases involving the placement or custody of Maori children. We have been told of cases where neither judges, nor lawyers nor even counsel for the child, have considered it proper for other than immediate parents to be present. We do not think cases involving Maori children ought to be determined solely in accordance with Western priorities, or that those who do not have a Maori experience or training, are adequate arbiters or advocates of the best interests of the Maori child. We do not think the law should be weighted to denying the facility of Maori communities to care for their own in the way they best know how.

We consider the Children and Young Persons Act requires substantial revision along similar lines. Informal hearings should be conducted in the context of seeking a family involvement in the discussion, and ultimate decision.

We do not think that Maori children should be placed in State Foster Homes without a committed search for a suitable placement within the whanau. We were told of a case where a grandparent had to take legal proceedings in custody to recover her grandchild from a state foster home, following a case of parental abuse, and where the grandparent had not even been interviewed by the Department for her fitness to care. It is not good enough to consider that the State provides best simply because it provides the easiest options. It is even worse when the inference is that relatives are unfit. It is not easy to reinductate the traditional sense of family and community support for those under stress, when the value of the family support is undermined in laws and bureaucratic services.

## APPENDIX III

### THE FACES OF RACISM

Racism has many faces. Some of them may be veiled others frankly overt—unmasked.

These faces may be grouped into three main forms—personal racism, cultural racism and institutional racism.

Personal racism affects individuals or groups. It occurs when people of one group are seen as inferior to another because of skin colour or ethnic origin. It belongs to those situations in which an individual is directly diminished or discriminated against on grounds of race.

In our country as in others, it may be manifested in jokes, disparaging comment and prejudiced attitudes. It may occur in rental housing, unequal distribution of opportunity and in our classrooms. Personal racism is the form that cuts most keenly at individual people. It is the variety that diminishes a person in their own eyes. It attacks the fount of personal identity and destroys a sense of self worth, as well as denying the indigeneous person access to resources and opportunities in the larger society.

Cultural racism is less obvious than the more open areas of prejudice between individuals. It is entrenched philosophy and beliefs. Its most obvious form in New Zealand is in the assumption that Pakeha culture, lifestyle and values are superior to those of other New Zealand cultures, notably those of Maori and Polynesian people.

It is rooted in the 19th century heritage of unshakeable belief in the cultural superiority of Europeans. It is a direct inheritance of colonialism and imperialism, and embodied in the ethos of the dominant group and thence the mind of the individual within the group. Without challenge and change this is transmitted to successive generations in the pre-school stage of development and becomes a recurrent theme in subsequent socialisation.

Despite the fact that tenets of Pakeha culture become fractured, eroded or obsolete (for example the nature of family, the role of marriage and the position of women) the assumptions of cultural superiority persist.

One of the most pervasive forms of cultural racism is the assumption that Pakeha values, beliefs and systems are “normal”. This places Maori values, beliefs and systems in the category of “exotic”. Provision for Maori cultural preference thus become an “extra”. That which sees provision for Maoritanga as anything other than a normal ingredient of our national culture is essentially culturally racist.

However, the most damaging aspect of cultural racism is the underlying notion of superiority. It is seldom overtly stated in modern New Zealand, but it is constantly implied in advertising, in education and in the marketplace.

One of the ways in which this parcel of attitudes impacts on Maori culture is that the power culture, because it has the authority of “superiority”, takes to itself the right to select those aspects of Maoritanga it wants to use or include in general New Zealand culture.

These selections range from the tail motif on our national airline to the inclusion of Maori words in the Dictionary of New Zealand English.

It must be stressed that it is not the inclusion of Maori symbols and elements in the national culture that marks cultural racism. It is the arrogantly assumed “right” to select those elements and to use them in ways which hollow them and diminish their cultural importance.

Whilst personal and cultural racism may be described in their own right, institutional racism is observed from its effects. It is a bias in our social and administrative institutions that automatically benefits the dominant race or culture, while penalising minority and subordinate groups.

The effects of institutional racism are graphically illustrated in our social statistics. For virtually every negative statistic in education, crime, child abuse, infant mortality, health and employment, the Maori figures are overwhelmingly dominant. In virtually every positive statistic in these areas, Maori are in minuscule proportion, if not entirely absent.

It is plain that the institutions, by which New Zealand society governs itself, distributes its resources and produces wealth, do not serve Maori people but they do clearly serve the great bulk of Pakeha people.

The persistent myth advanced to explain the cause of Maori disadvantage is that the Maori have not “adapted” or have “failed” to grasp the opportunity that society offers. This is the notion that poverty is the fault of the poor.

The fact is, though, that New Zealand institutions manifest a monocultural bias and the culture which shapes and directs that bias is Pakehatanga. The bias can be observed operating in law, government, the professions, health care, land ownership, welfare practices, education, town planning, the police, finance, business and spoken language. It permeates the media and our national economic life. If one is outside, one sees it as “the system”. If one is cocooned within it, one sees it as the normal condition of existence.

Institutional racism is the basic weapon that has driven the Maori into the role of outsiders and strangers in their own land. The more recent identification of institutional racism as the basic evil constraining Maori participation in New Zealand life, has caused something of a furore. The assumption of those under attack has been that their involvement in our monocultural institutions means that they personally are therefore accused of being ‘racist’. The resultant resentment has been bitter and a barrier to change. It has polarised attitudes and clouded the capacity for dealing with the issue of monoculturalism.

If a person works within an institution that practises institutional racism, that person need not necessarily be racist. However, if those in positions of influence within institutions do not work to reduce and eliminate the monocultural bias that disadvantages Maori and minorities, they can be accused of collaborating with the system, and therefore of being racist themselves. In a system of monocultural/racist policies and practices, individual behaviour when operating these policies and practices, becomes translated into personal reflections of racism.

Institutional racism can be combatted only by a conscious effort to make our institutions more culturally inclusive in their character, more accommodating of cultural difference. This does not begin and end at “the

counter". The change must penetrate to the recruitment and qualifications which shape the authority structures themselves. We are not talking of mere redecoration of the waiting room so that clients feel more comfortable.

Affirmative action programmes aimed at reducing the monocultural bias in our institutions are an essential ingredient of change.

The first stage of change to a more culturally inclusive New Zealand is the recognition of biculturalism. This involves both the place and the status of Maoritanga in our institutional arrangements.





## APPENDIX IV

LISTS OF THOSE WHO MADE  
WRITTEN SUBMISSIONS AND  
**MARAE VISITED**

# LISTS OF PEOPLE AND ORGANISATIONS WHO MADE WRITTEN SUBMISSIONS

(Some of these submissions were also presented orally at community hui and departmental meetings. The figures in brackets refer to the number of papers presented if more than one.)

Members of the public submitted personal questions and concerns to the Committee. These queries are not included as submissions).

## NGA TANGATA O NGA HAU E WHA (Individuals)

NAME	LOCATION
A	
AMOHIA, H	Address not given
ANTONIO, J (Mr)	Weymouth Residential Centre, Manurewa
ATEREA, J	Address not given
B	
BAGLEY, J (2)	DSW Wanganui
BARAKAT, S P	Taumarunui
BECKETT, J	Hokitika
BOSLEY, K D	Mt Wellington, Auckland
BOWEN, H	DSW Christchurch
BOYD, A R	Dunedin
BRACEY, A	Otamatea Childrens Centre, Wanganui
BUCKLAND, M	Hornby, Christchurch
C	
CARISKEY, M	Auckland
CHADWICK, L	New Plymouth
CHASE, D	Taupo
CHIBNALL, C C	Principal, Hamilton Boys Home
CHOAT, E (Mrs)	Christchurch
CLARKSON, E	Mangere East, Manukau
CROSS, D J T	DMA Henderson
CURRIE, R (Mrs)	Christchurch

D

DAVIES, J M (Mrs)	Address not given
DAWSON, G	Hamilton
DELL, C	DSW Dunedin
DOUTHWAITE, K (Miss) (2)	DSW Christchurch
DUCHMOUTH, H	DSW (Office location not given)
DUFFY, M	Address not given

E

ELWORTHY, S	Dunedin
-------------	---------

F

FAHEY, D M	DSW Greymouth
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G

GATIPULU, Te A M (Mrs)	Mt Roskill, Auckland
GEMBITSKY, C	DSW Auckland
GLADING, R H (Mr)	Milford, Auckland
GRAHAM, Z H	Address not given
GREENING, N K	Hastings
GKIBBLE, L	DSW Christchurch
GROOT, J	Tauranga
GUERIN, L	DSW (Office location not given)

H

HALL, D	Mt Manganui
HALL, M	Henderson
HAPETA, R	Hamilton
HARRIS, F	Pukekohe
HAWEA, J	
HAWIKI, M (MRS)	Lower Hutt
HAURAKI, J	Address not given
HEIHEI, L A (Mrs)	DSW Takapuna, Auckland
HEMAHEMA, K (Miss)	Hokitika
HEMI, H (Ms)	Waitarere Beach, Levin
HEMI, K	Blenheim
HENARE, M	Moerewa, Bay- of Islands
HENRY, A J	Hamilton
HIGGINS, L	DSW Hamilton
HOROMIA, P	Tolaga Bay
HORTON, A	DSW Wanganui
HOTERE, J	Mangere, Manukau
HOUKAMAU, A (2)	Christchurch
HURU, R	Manurewa, Manukau

## I

IHIMAERA-SMILER, W  
INKERANGI, K

Lower Hurt  
Coromandel

## J

## K

KAKE, I  
KANIPA, G  
KEAN, D  
KEELAN, W Te H  
KELLEHER, J A (Mr)  
KEREHI, J R (Mr)  
KIPA, H

Otara, Manukau  
Palmerston North  
DSW Auckland (District Office)  
Titahi Bay, Porirua  
Paremata, Porirua  
DSW Masterton  
Nga hau e wha National Marae,  
CHCH  
Auckland  
Tikitiki

KIVI, W B (Mrs.)  
KOIA, E

## L

LAMB, R  
LAMBOURN, B & C  
LAPWOOD, S (Mrs)  
LLOYD, D

Timaru  
Whakatane  
Port Waikato, Auckland  
Ruatoria

## M

McCORKINDALE, D  
McCORMICK, J (Mrs)  
McGARVEY, R  
McMURRAY, L (Ms)  
MACKIE, R  
MADDISON, J  
MANAENA, P F  
MAPIRIA, J (Mr)  
MARSH, J (Mrs)  
MARTIN, B  
MATARORIA-LEGG, E R (Mrs)  
MATE, W  
MAYES, J D  
MEADE, M  
MINHINICK, R (Mr)  
MOOSMAN, S J  
MOREL, M  
MORGAN, L  
MORGAN, L A  
MULLINS, D  
MUNRO, A C K

Opotiki  
Fendalton, Christchurch  
Whakatane  
Area Welfare Office, Hornby, CHCH  
Te Atatu South, Auckland  
Glen Eden, Auckland  
Rotorua  
Whangarei  
Kawakawa, Bay of Islands  
Address not given  
Newtown, Wellington  
Hamilton  
DSW Greymouth  
Wanganui  
Bryndwr, Christchurch  
DSW Tauranga  
Christchurch  
Kaiapoi  
Te Awamutu  
DSW Paeroa  
DSW Hastings

N

NEALE, J	Havelock North
NEELS, T T	Otara, Manukau
NEWMAN, B	Blenheim
NGAMOTU, R (Mrs)	Taupo
NOONE, I' J	DSW Kaitaia
NORDSTROM, R	Cambridge

O

ODERKERK, J (Mrs)	Waikanae
OLSEN, A S	Cambridge
OLSEN, B A (4)	Cambridge

P

PAENGA, T A (4)	Gisborne
PATTERSON, T B	Burnham
PEAKMAN, A	Heretaunga
PEARS, S	DSW Gisborne
PENWARDEN, M	DSW Hamilton
PEREKA, K	Matopuna, Taumarunui
PHILIPP, E	Wellington
PHILLIPS, C M (Mrs) (2)	National Park
POMPEY, K	Manurewa
POUWHARE, A	Mangere Area Welfare Office Mangere

R

RASCH, M	Address not given
RITCHIE, M (Miss)	Whakatane
ROBERSHAW, M E	Timaru
ROPATA, J	Lower Hutt

S

SAVAGE, A M	Kawerau
SINGH, N N	DSW Christchurch
SLOAN, B T	DSW Wanganui
SMITH, T T	Central City, Wanganui
SORENSEN, T V	DSW Greymouth
SOUTHORN, P J H	Auckland
STAFFORD, S	Blenheim
SUTHERLAND, J A	Te Kuiti
SWANNELL, S	Tolaga Bay

T

TAHAE, T	Christchurch
TAHITAHU, I' W	Otahuhu, Auckland
TAKARUA, NGATANGI (Mrs)	Auckland
TAMATI, F	Titirangi, Auckland
TAMATI, I (Mrs)	Waitara, Taranaki
TAUTUHI, A W	Ruatoria
TAWHA, D (Mrs)	Gordonton, Hamilton
TAWHA, W S T (Mrs)	Hamilton
TAYLOR, D	Patea
TE AHO, R W	Address not given
TE ARIKI, C	Hastings
TE AWATEA O TE WAA WAI-	Kawhia
TARA - AMOS (4)	
TE KANAWA, D	Ngati Maniapoto
TE WHATA, H	Wellington
TE WINIKA, H	Christchurch
TIDBURY, J	Address not given

U

UMUHAIU, K	Address not given
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V

VAN DUIN, A	Rotorua
-------------	---------

W

WAIROA, T	Tikitiki, East Coast
WALSH, M (Mrs)	Oamaru
WARNES, A	DSW Greymouth
WHITAU, R K	Otepoti Maori Committee, Dunedin
WHITCHER, D H	Lower Hutt
WI-KAITAIA, T R	Wellington
WILLIAMS, I & J	Hamilton
WILSON, P (Mrs)	Ashburton
WINTERBURN, H	Otaki
WIREMU, H N	Address not given

X/Y/Z

YATES, B	DSW Taumarunui
YOUNG, D	Ashburton

## NGA ROOPU O NGA HAU E WHA (Organisations)

<b>NAME</b>	<b>LOCATION/WRITER(S)</b>
<b>A</b>	
ACORD	P 0 Box 47-155, Auckland
AUCKLAND COMMUNITY RESOURCES RECYCLING CENTRE AUCKLAND- KATIPA, L	
AUCKLAND DSW (30 Staff members)	
AUCKLAND DSW MAORI AND PACIFIC ISLAND SOCIAL WORKERS	
AUCKLAND DSW (REGIONAL) SPECIALIST SEKVICES UNIT	
<b>B</b>	
<b>C</b>	
CHILDRENS HEALTH CAMPS BOARD	Otaki-MOORE, R
CHRISTCHURCH DSW COMMUNITY VOLUNTEERS (N.Z. Inc.)	P 0 Box 27-044, Wellington- PREDDY, E (Ms)
COMMUNITY VOLUNTEERS (Palmerston North Inc)	P 0 Box 2060, Palmerston North McKENZIE, C
<b>D</b>	
DSW TELEPHONE OPERATORS	Office Location not given
<b>E</b>	
<b>F</b>	
<b>G</b>	
GISBORNE DSW	
GREYMOUTH ADMINISTRATION	DSW SMITHSON, B
GREYMOUTH DSW SOCIAL WORK DIVISION	MARTIN, B
GREYMOUTH DSW BENEFITS & PENSIONS	

H

HAMILTON BOYS HOME DSW  
RESIDENTIAL SOCIAL WORK  
STAFF

HAMILTON BOYS HOME  
(SCHOOL UNIT)

HAMILTON GIRLS HOME  
(WHAIORA SPECIAL  
SCHOOL)

HAWERA 'SUBMISSION

MAUNINI, J (Miss)

TAWHARA, S (Miss)

HASTINGS DSW SOCIAL WORK  
DIVISION

HAURAKI DISTRICT MAORI  
COUNCIL

HEAD OFFICE DSW SOCIAL Wellington  
WORK ADVISORS

HOANI WAITITI MARAE Inc Henderson Auckland  
SOCIAL PROGRAMMES

I

J

K

L

LEVIN ADULT TRAINING IRION, W  
CENTRE

M

MAATUA AWHINA (MAATUA  
WHANGAI) NGATI MANIA-  
POTO—Mokau (Mangatoata)

MAATUA WHANGAI-CORE FORSYTH, M A  
MANAGEMENT  
GREYMOOUTH

MAATUA WHANGAI-CORE TROMPTTER, L  
MANAGEMENT WAIROA

MAATUA WHANGAI- ROTORUA  
JUSTICE-TE  
ARAWA/TUWHARETOA

MAORI ECONOMIC DEVELOP- DMA, Private Bag, Wellington,  
MENT COMMISSION (2) LOVE, R H N

MAORI WOMENS WELFARE Hokitika, CLIME, J (Mrs)  
LEAGUE RATA



MAORI WOMENS WELFARE Devonport, Auckland, ASHTON, P  
LEAGUE WAIWHARARARIKI  
MAORI WOMENS WELFARE Taranaki, TAMATI-AUBREY, I  
LEAGUE WAITARA WEST (Mrs)  
MARDON ROAD COMMUNITY Fairfield, Hamilton, TAKAO, Te A  
CENTRE

N

NELSON UNEMPLOYED P 0 Box 926, Nelson, HOU PAPA,  
WOKKERS TRUST W  
NGA HAU E WHA NATIONAL Christchurch  
MARA E INC  
NGATI MANIAPOTO Te Kuiti, Te KANAWA, D  
NORTHERN WAIROA COMMU- Dargaville, Kaitaia  
NITY SERVICES GROUP

O

OTEPOTI MAORI COMMITTEE Dunedin

P

PARENTLINE Hamilton, HODGSON, M  
I'ARIHAKA PEACE P 0 Box 15, Kumeu, LOVE, P M  
FOUNDATION

Q

R

RAUKAWA DISTRICT MAORI RD 5, Feilding, DURIE, M H  
COUNCIL  
RAUKAWA MAORI WARDENS Otaki, WINIATA, B L  
ASSOCIATION  
RUAHINE MAORI COMMITTEE P 0 Box 238, Dannevirke, ROBIN-  
SON, N (Mrs)

S

SEXUAL ABUSE PRO- PITMAN, M  
GRAMME-WAIARIKI MASON, H  
DISTRICT SIMPSON, M

T

TAINUI TRUST Huntly  
TAKITIMU DISTRICT MAORI P 0 Box 69, Woodville, TAN-  
COUNCIL (2) GIORA, J

TARANAKI HOUSE SOCIAL WORK TRAINING CENTRE (2)	Auckland
TAUTOKO TRUST	P 0 Box 799, Gisborne
TE ARAWA MAORI TRUST BOARD	P 0 Box 128, Rotorua, BENNETT, P J
TE KAUNIHERA MAORI (NZ MAORI COUNCIL)	P 0 Box 5195, Wellington, LATI- MER, G (KBE)
TE POHO-0-RAWIRI MARAE KOHANGA REO	Gisborne
TE ROOPU AWHINA-O- TOKANUI, TOKANUI HOSPITAL	Private Bag, Te Awamutu
TE ROOPU RAWAKORE 0 AOTEAROA	National Co-ordinator, P 0 Box 68- 558 Newton, Auckland
TE WHANAU 0 MARAENUI YOUTH GROUP SCHEME	Hastings, POHE, R
TOKOROA AREA WELFARE OFFICE (6 WOMEN STAFF MEMBERS) DSW	
TOWER HILL RESIDENTIAL INSTITUTION	Hamilton, PLATT, K
TUAKAU KOKIRI MANAGE- MENT GROUP	Manukau, WARU, P M S

U

V

VOLUNTEER IN PERSON South Auckland  
PROGRAMME

W

WAIKATO MANIAPOTO DIS- TRICT MAORI WARDENS ASSOCIATION	Hamilton, WILLIAMS, J
WAIOTURI MARAE HIGH SCHOOL SUBMISSIONS (2)	Form 6
WANGANUI COMMUNITY RESOURCE CENTRE	P 0 Box 947, Wanganui, SLOW, T
WANGANUI DSW	
WHAINGAROA KITE WHENUA TRUST	Whaingaroa (Raglan) RICKARD, E

X/Y/Z

**MARAE AND COMMUNITY VENUES VISITED  
BY THE  
MAORI PERSPECTIVE ADVISORY  
COMMITTEE**

Date	Marae	District	Number in Attendance
17.8.85	TUNOHOPU	KOTOKUA	93
7-8.9.85	KOKIRI SEAVIEW	LOWEK HUTT	130
21.9.85	OTIRIA	MOEKEWA	89
4.10.85	TE UNGA WAKA	AUCKLAND	60
5.10.85	TE TIKA HOU	AUCKLAND	73
18.10.85	WAIOTUKI	PATEA	86
19.10.85	ORIMUPIKO	OTUNAKE	53
1.1.85	MANGAHANEA	KUATOKIA	70
2.11.85	WHAKATO	GISBORNE	56
3.11.85	TAIHOA	WAIKOA	46
16.1.85	TE PUEA	MANGEKE	81
30.11.85	TUKANGAWAEWAE	NGAKUAWAHIA	87
1.12.85	TOKANGANUI-A-NOHO	TE KUITI	62
14.12.85	OMAHU	HASTINGS	75
15.12.85	TE OKE ORE	MASTERTON	66
23.1.86	NGA HAU E WHA	CHRISTCHURCH	69
25.1.86	KEHUA	CHRISTCHURCH	90
1.3.86	OMAKA	BLENHEIM	28
2.3.86	WAIKAWA	PICTON	31
15.3.86	TE PAI-O-HAURAKI	IAEKOA	47
15.3.86	TOROA	WHAKATANE	28
16.3.86	I'OUTUTEKANGI	TAUKANGA	47
21.3.86	MATAUKA	MATAURA	35
22.3.86	TE RAU AROHA	BLUFF	36
23.3.86	AKAI TE UKU	DUNEDIN	77
23.3.86	NGA HAU E WHA	INVEKCAKGILL	61
4.4.86	NGA PUAWAIWAHA	TAUMARUNUI	90
5.4.86	RAUKAWA	OTAKI	97
19.8.86	DISTRICT COUNCIL HALL	KOTOKUA	52
20.9.85	COMMUNITY YOUTH HOUSE	WHANGAKEI	10
22.9.85	KAITAIA COMMUNITY HALL	KAITAIA	41
6.10.85	HOYSTOWN	AUCKLAND	36
29.11.85	MAORI LAND COURT	HAMILTON	29
26.1.86	TE KANGIMAKIE CENTRE	CHRISTCHURCH	67
15.2.86	WESTPORT BULLEK HIGH SCHOOL	WESTPORT	31
15.2.86	HOKITIKA COMMUNITY HALL	IHOKITIKA	40
16.2.86	KINGS HOTEL	GKEYMOUTH	27
22.3.86	BRIDGE CLUB HALL	OAMARU	41

Between 17 August 1985 to 7 April 1986 a total of sixty-nine meetings were arranged. Thirty-nine of these were held at marae or community venues. The remainder were with Departmental Staff throughout the country at thirty offices or alternative venues.

Overall, approximately 2954 people attended the hui.

Verbal submissions- 1424

Written submissions-267